



## SOME ISSUES OF IMPROVING LEGISLATION ON INTERNATIONAL COOPERATION IN CRIMINAL MATTERS

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### ANNOTATION

*This article highlights the reforms in the sphere of ensuring human rights and interests within the framework of international legal acts and agreements on criminal procedure in our country and the practical aspects of these reforms. Suggestions and recommendations were also made to improve these procedural rules and international treaties.*

**KEYWORDS:** *Minsk Convention, Sofia agreement, extradition, criminal procedures, the court, prosecutor, investigator-interrogator, an international treaty and agreement.*

### INTRODUCTION

The President of the Republic of Uzbekistan Mirziyoyev noted in the second direction of the "Strategy of actions for five priority areas of development of the Republic of Uzbekistan for 2017-2021" and in the decree "Priority areas for ensuring the rule of law and further reform of the judicial and legal system" which approved the concept of improving criminal procedure of legislation.

The head of state sets the following tasks to systematize and harmonize the norms of Criminal procedure legislation:

1. Inventory of criminal procedure of legislation, taking into account the unification and harmonization of international standards;
2. Abandonment of criminal procedure rules that are interpreted differently or require clarification on their application, as well as full transition to the practice of applying directly applicable laws;
3. Review of the criminal procedure of the legislative system in terms of ensuring their logical consistency, taking into account the effectiveness of the legal application of norms and institutions, as well as the rejection of repeated norms;
4. Further improvement of the system of criminal procedure principles taking into account modern approaches, advanced international standards and foreign practice;
5. Elimination of legal loopholes and contradictions that prevent effective protection of the rights and freedoms of citizens, the interests of society and the state in criminal procedure of legislation;

6. Coordination of criminal procedure rules governing international cooperation with international treaties of the Republic of Uzbekistan[1].

### LEGAL ANALYSIS

International cooperation in criminal proceedings is regulated by two sections of the code of criminal procedure: "Basic rules on the procedure for interaction of courts, prosecutors, investigators and bodies of inquiry with the competent authorities of foreign states "(chapter 64) and "Arrest of a person for criminal prosecution or execution of a sentence " (chapter 65).

When it comes to the implementation of international cooperation in criminal proceedings, it is the legal basis for conducting any procedural actions, executing a request for it, and, above all, an international treaty of the Republic of Uzbekistan. An international treaty of the Republic of Uzbekistan means an equal and voluntary agreement of the Republic of Uzbekistan with one or more states, international organizations or other subjects of international law on their rights and obligations in the field of international relations.

International treaties: a treaty, an agreement, a convention, a protocol, a memorandum, a declaration, an exchange of letters and notes, and thus the structure can be called differently. International law recognizes the land of persons who conclude it on behalf of a contract. As a rule, when naming international agreements, values are taken into account in the place where they are concluded. It has the same legal force, no matter how it is called an



international treaty. In cases where the provisions of one conflict with the other, the member or signatory state shall decide which of them to accede to. International agreements will be bilateral and multilateral agreements, depending on the number of entities participating in them. For example, the agreement on legal assistance in criminal matters signed between the Republic of Uzbekistan and the Republic of Bulgaria on 24 November 2003 in Sofia provides only two states with rights and obligations in this area. "On legal assistance and legal relations in civil, family and criminal matters" (Minsk Convention), signed on January 22, 1993 in Minsk, regulates cooperation in criminal matters, including relations between states that signed it and then acceded to it. (Uzbekistan ratified it on May 6, 1993).

## CONCLUSION

The General Prosecutor's Office of the Republic of Uzbekistan has the authority to send a request (issue) for bringing a person to criminal responsibility or executing a sentence. Two legal grounds for keeping a person on the territory of a foreign state:

✓ the act committed by the requesting party is a criminal act punishable by at least one year's imprisonment, or a punishable act provided for in the legislation of both states at the time of the request;

✓ it is established that this person is subject to punishment in the form of imprisonment for a period of not less than six months or imprisonment for a period of not less than six months, or a suspended sentence. The penalty imposed by this sentence in accordance with the content of the law must not exceed the term of execution.

It would also be expedient to regulate the relations related to the extradition of a person to the state of residence in order to serve the sentence of imprisonment in order to further develop the legislation on international cooperation in the field of criminal justice. The concept of improving criminal procedure of legislation provides for the harmonization of criminal procedure rules governing international cooperation with international treaties of the Republic of Uzbekistan. For this reason, we consider it appropriate to supplement the section "international cooperation in criminal proceedings" of the code of criminal procedure with the section "arrest of a new person in the state apparatus in which they live, for the purpose of punishment in the form of imprisonment". In this chapter, it will be necessary to establish the grounds for holding a convicted person in prison under the law of a foreign state in the state in which he resides, the procedure for considering these issues in court, the grounds for refusing to keep a convicted person in prison under the law of a foreign state in the state in which he

resides, and the procedure for considering these issues in court[2].

The procedure for detaining a person to comply with the law of a foreign state in the state in which he or she resides is, of course, carried out by agreement between the states. If there is no agreement between Uzbekistan and another country on these issues, we believe that such actions should be carried out on the basis of an autonomous press.

It is desirable to specify the Prosecutor General's Office of the Republic of Uzbekistan, the Supreme Council of the Republic of Uzbekistan and the Ministry of Internal Affairs, the body responsible for the execution of the punishment imposed on a person by the law of a foreign state for his stay in the state of that person.

The Prosecutor General's Office of the Republic of Uzbekistan applies to the Supreme court to determine the place of residence of the person subject to punishment, together with the Ministry of Internal Affairs for the implementation of the law of a foreign state and drawing attention to the implementation of the law of a foreign state. In order for the Supreme court to consider the execution of a foreign law, it is necessary to send all related court documents to the territorial criminal court at the place of residence of the convicted person and monitor the unconditional execution of the law of a foreign state.

To sum up all the given information I can say that improving international cooperation in the field of criminal justice makes it possible, first of all, to protect human rights and interests, and to develop international legal relations in our country.

## REFERENCES

1. [www.presscenter.prezidentr.uz](http://www.presscenter.prezidentr.uz).
2. Article 3 of the "Law on international treaties of the Republic of Uzbekistan". [www.lex.uz](http://www.lex.uz).