IJSSIR, Vol. 11, No. 01, JANUARY 2022

THE SPECIFICS OF PUBLIC CONTROL IN CIVIL PROCEEDINGS

¹Davletov Utkirbek Matmurotovich

¹Deputy Head of the Department of the University of Public Security of the Republic of Uzbekistan, Doctor of Philosophy in Legal Sciences, Lieutenant Colonel

Article history:

Received: 09 th January., 2022 Accepted: 10 th January., 2022 Published: 11 th January., 2022

Abstract: The article examines the peculiarities of the participation of public organizations and citizens in the judicial process of their authorities to protect the rights and interests of citizens protected by law as one of the important manifestations of public control in civil proceedings.

Key words: Participation in public control, public organizations, civil society institutions, self-government bodies, chairman of the Citizens' Assembly, participation in civil proceedings, and foreign experience.

Institutions of civil society and non-governmental, non-profit organizations are becoming an important factor in the protection of human rights and freedoms and the legitimate interests of a person in our country. These institutions play an important role in realizing their potential, creating conditions for increasing their social, socio-economic activity, and legal culture, as well as helping to ensure a balance of interests in society. Therefore, it should be noted that the issue of the formation and development of civil society institutions in our country is a period of rapid formation and development of civil society institutions, non-governmental non-profit organizations.

It should be noted that today the institutions of civil society are becoming one of the important tools for ensuring effective interaction of citizens with the state through public control, control over the observance of the rule of law in the activities of state bodies.

As in other areas, public oversight plays an important role in civil proceedings. One of the important manifestations of public control over the civil process is the participation of public organizations, citizens' self-government bodies in court to give opinions on the protection of the rights and interests of citizens protected by law.

According to article 52 of the Criminal Procedure Code of the Republic of Uzbekistan, to protect the rights and interests of citizens protected by law, these persons can be involved in the proceedings or enter into proceedings on their initiative.

In addition, the participation of citizens 'self-government bodies in civil proceedings from civil society institutions is regulated by the new Law of the Republic of Uzbekistan "On citizens' self-government bodies", approved. ZRU-350 dated 04.22.2013. In particular, Article 14 of this Law provides for the powers of the chairman (elder) of the assembly of citizens, according to which the chairman of the assembly of citizens represents the interests of the assembly of citizens in state bodies, including in courts, judicial legal entities, and individuals, abuse of alcohol, drugs and psychotropic drugs. substances, as a result of which fucaponi is declared incapacitated or fucaponi, is declared incapacitated due to a mental disorder (mental illness or dementia).

The Constitution of the Republic of Uzbekistan and the laws adopted on this basis will not enhance the participation of government bodies, organizations, and individual citizens in courts to

107	ISSN 2277-3630 (online), Published by International journal of Social Sciences & Interdisciplinary Research., under Volume: 11 Issue: 01 in January-2022 https://www.gejournal.net/index.php/IJSSIR
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IJSSIR, Vol. 11, No. 01, JANUARY 2022

protect the rights of others. In addition, through participation in the courts, government bodies and other organizations serve to enforce laws in practice, i.e. the rule of law. Another important aspect of the participation of government bodies and other organizations that protect the rights of others in civil proceedings is that these bodies, through their participation, provide the courts with an impartial, fair, and fair decision on the case.

The participation of citizens' self-government bodies and public organizations in the civil process is one of the important conditions for the formation of civil society. In this regard, an important area of legislative activity should be the further development of the regulatory framework of civil society institutions, non-governmental non-profit organizations, priority attention should be paid to improving legislation aimed at expanding the rights and powers of civil society institutions, including citizens' self-government bodies. In addition, further improvement of the legal framework for the participation of government bodies, civil society institutions that protect the rights of others, in the conduct of civil proceedings to protect human rights and freedoms is one of the most pressing issues today.

In this regard, the legislation of the CIS member states, in particular, paragraph 3 of Article 33 of the Law of the Republic of Armenia "On Local Self-Government", stipulates that the head of local self-government represents the interests of the municipality. in court [1]. This issue is described in detail in the Law of the Russian Federation "On Local Self-Government". Article 49 of this Law "Powers of city and village councils" establishes that in cases stipulated by law, higher state bodies, enterprises, organizations, and institutions have the right to apply to a court or arbitration court with a statement to declare documents illegal. According to article 54 of the law, the administration of the village has the right to apply to the court with an application for invalidating the decisions of state authorities, organizations, enterprises, institutions aimed at violating the rights and legitimate interests of citizens living on its territory. Article 55 of the law establishes that the district council and article 66 of the city administration have the right to apply to a court or an arbitration court with a statement on the recognition of illegal documents of higher state bodies, enterprises, organizations, and institutions in cases stipulated by law [2].]. The Law "On Local Government and Self-Government in the Republic of Belarus" (Article 9) provides that the executive committee takes measures to ensure and protect the interests of the local economic territory in court [3].

Article 9 of the Law of the Republic of Uzbekistan "On Self-Government Bodies of Citizens" states that the assembly of citizens represents the interests of the population, Article 14 states that the chairman (elder) of the assembly of citizens represents the interests of assemblies of citizens. Even though the norm has been strengthened, the analysis shows that in practice very rarely, the chairman of a gathering of citizens goes to court to protect the rights and interests of a citizen living in a given territory. In our opinion, the absence of cases of citizens' self-government bodies appealing to the court requires further clarification in the Law on Citizens Self-Government Bodies the powers of these bodies to go to court, in which cases they are authorized to go to court. For this purpose, Article 14 of this Law introduces a special rule on the participation of citizens' self-government bodies aimed at violating the rights and legitimate interests of citizens living in their territory., In cases stipulated by law, the rule is applied that higher state bodies, enterprises, organizations, and institutions may apply to the court with a statement on the recognition of documents as illegal.

It should be noted that our laws, of course, require the participation of government bodies that protect the rights of others in the resolution of certain categories of civil cases, but do not provide for the participation of citizens' self-government bodies. Therefore, it is proposed to introduce into the legislation norms providing for the obligatory participation of citizens' self-government bodies protecting the rights of others in the resolution of certain categories of civil cases in court. For

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IJSSIR, Vol. 11, No. 01, JANUARY 2022

example, in cases of divorce by a court decision, the provision on involving members of the public to support the family while allowing time for reconciliation of the parties should be enshrined in law. It is also advisable to introduce a rule on the transfer of the child to the custody of the guardianship and guardianship authorities by the court at the request of the citizens' self-government bodies, if the courts establish that, when resolving disputes related to the upbringing of children, the parents, persons in the custody of the child are not able to ensure his proper upbringing. ...

If we analyze the Code of Civil Procedure of the CIS member states, for example, according to part one of Article 46 of the Code of Civil Procedure of the Russian Federation, state authorities, local authorities, organizations, or citizens protect the rights and interests protected by law. other persons at the request of these persons, or to protect the rights and legally protected interests of a circle of unfamiliar persons.

to have the right to

It should be noted that such a legal framework developed in the twentieth century under the name "class action" common to European procedural law. In particular, the right to sue in France was confirmed by the Court of Cassation in 1907 and 1923 [4]. At the same time, the organizations participating in the case are recognized as having the right to bring a claim, as well as the right of these organizations to bring a claim as defenders of collective and individual rights. It is known from the legal literature that the right to a claim is pre-established and guaranteed by the state of a material nature, granted to them to protect the violated rights or legitimate interests of individuals (individuals and legal entities) in court [5]. Thus, an important aspect of the above statement is that with their help it is possible to simultaneously protect the public and private interests of a large group of persons [6]. In this case, one person or several persons can defend the rights of a whole group, and by its procedural nature, such a claim forms a complex combination of elements of accomplices and representation [7].

This article in the context of the ongoing large-scale reforms in the Republic of Uzbekistan and the need for an accelerated renewal of fixed assets, leasing is of particular importance as a form of financing the investment activities of economic entities.[8]

The idea of limiting the boundaries of "civil society" and "state" was proposed by the German philosopher G. Hegel. It should be noted that society and "civil society" is generally a state term.[9]

Therefore, in civil proceedings, public administration bodies, self-government bodies of citizens, organizations, or citizens in cases provided for by law, to protect the rights and legally protected interests of other persons at the request of these persons or to protect the rights and interests protected by law, interests of unknown persons It is proposed to strengthen the norms defining that they have the right to go to court. The inclusion of this provision in the country's civil procedural legislation, in turn, serves as an additional guarantee in judicial protection of the rights of persons who are unable to exercise the right to judicial protection. This type of lawsuit enriches the institution of protecting the rights and legitimate interests of others and gives it diversity. In our opinion, collective action is necessary for both the state and society at the same time and is an effective means of protecting private interests. The courts accepting such claims resolve the issue of protecting the rights and the same time, which in turn avoids procedural costs. In the process of considering and resolving such disputes in court, the courts will also be able to decide the issue of restoring violated rights and legitimate interests of individual subjects.

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