

ENSURING THE SUPREMACY OF LAW IN THE DEVELOPMENT OF AGRICULTURE IN UZBEKISTAN

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Abstract: *The article examines the legal foundations of agricultural modernization, ensuring the rule of law and strengthening the rule of law in the implementation of market mechanisms in agriculture, methods of effective prosecutorial control over the precise and uniform implementation of agricultural legislation, forms of control, types of control documents, agricultural legislation. issues of improving, strengthening legal mechanisms in agriculture.*

Keywords: *modernization of agriculture, legality, prosecutorial control, forms of control, agrarian law, agrarian strategy.*

INTRODUCTION

Large-scale reforms in all spheres in our country which are being carried out in creating conditions for the all-round, rapid development of the state and society, serves to further improvement of human life and ensuring a decent standard of living. Especially agricultural development is an important factor in improving the welfare of villages where more than 60% of the population lives.

Indeed, in recent years, some work is being done on the introduction of resource-saving technologies and the provision of agricultural producers with modern equipment the reform of agriculture in our country, in particular, the improvement of public administration in the field, the widespread introduction of market relations and strengthening the legal framework of relations between entities growing, processing and selling agricultural products, attracting investment in the sector[1].

RESULTS AND DISCUSSIONS

In the strategy of actions on five priority directions of development of the republic of Uzbekistan in 2017-2021 approved by the Decree of the President of the Republic of Uzbekistan dated February 7, 2017 PD-4947 "On the Strategy for further development of the Republic of Uzbekistan" "Agricultural Modernization and Accelerated Development" is no coincidence that it is one of the priorities of economic development and liberalization.

It is necessary to note that the President of the Republic of Uzbekistan Shavkat Mirziyoyev in his Address to the Oliy Majlis of January 24, 2020 stated that "It is necessary to develop agriculture on the basis of strategic approaches, which is one of the most important areas for the development of our economy, employment and income growth"[2] as programmatic and target tasks to be implemented in the field of economy in 2020 and in the following years.

Certainly, the implementation of the tasks set out in the Strategy of Agricultural Development of the Republic of Uzbekistan for 2020-2030, the effectiveness of reforms in the sector and the consistent implementation of comprehensive program measures in all areas

and the widespread introduction of market mechanisms cannot be achieved without the implementation of key tasks such as ensuring and strengthening the rule of law.

This, in turn, will be achieved through effective control over the accurate and uniform implementation of agricultural legislation by the Prosecutor General of the Republic of Uzbekistan and its subordinate prosecutors in the territory of the Republic of Uzbekistan.

The first of the 9 main directions of the prosecutor's office, established by Article 4 of the Law of the Republic of Uzbekistan dated August 29, 2001 No 257-II "On the Prosecutor's Office" (new edition) - control over the implementation of laws by ministries, state committees, agencies, citizens' self-government bodies, public associations, enterprises, institutions, organizations, governors and other officials.

Before we dwell on prosecutorial supervision, its role in agriculture, it is advisable to define what control is, what are its most important features and characteristics. So, while we talk about "control", we must first of all explain the essence of this concept. Turning to the definition of the concept of "control", it should be noted that the literature contains a number of its definitions. In particular, "control" (Arabic - management, administration; ministry; administration) is the state of a thing, object, its course, human behavior, etc. constant monitoring, and inspection[3].

According to other sources, "control is the activity[4] of special authorized bodies to confirm and control compliance with laws, established rules, norms and standards." Of course, control here is a form of activity of state bodies to ensure the rule of law.

According to the above definitions, the concept of "control" is, first of all, a form of activity of state bodies; second, the enforcement of laws by the subjects; third, the areas of activity of the subjects are determined.

It should be noted that we can conditionally divide control into the following types, depending on the scope of subjects and objects, areas of activity, forms of implementation.

Firstly, parliamentary control over the activities of state bodies, economic management bodies and their officials on the implementation of the Constitution and laws of the Republic of Uzbekistan, resolutions of the chambers of the Oliy Majlis of the Republic of Uzbekistan and their bodies, state programs, as well as tasks and functions.

Secondly, control of the executive power over the work and activities of state and economic management bodies in the manner prescribed by law, that is, state control.

Thirdly, public control over the activities of state bodies and institutions.

Fourthly, prosecutorial control over the clear and uniform implementation of laws on the territory of the Republic of Uzbekistan.

Fifthly, the control of the Supreme Court of the Republic of Uzbekistan over the judicial activities of lower courts, that is, judicial control.

Sixth, administrative control over certain categories of persons, for example, administrative control over certain categories of persons released from penitentiary institutions.

Seventh, the system of state and public measures aimed at preventing, detecting and suppressing violations of legislation in the field of environmental protection and rational use of natural resources, i.e. environmental control.

Eighth, department control by state and economic authorities over the activities in the organizations belonging to them.

Ninth, production control by business entities.

Tenth, the activities of the authorities to monitor compliance with tax legislation by taxpayers and tax agents, i.e. tax control.

Eleventh, in relation to goods and vehicles transported across the customs border and (or) subject to declaration; in relation to customs declaration, documents and information on goods; and control over the movement of goods across the customs border of legal entities

and individuals, the provision of services in the field of customs, as well as control over activities carried out in certain customs regimes, i.e. customs control, etc.

Hence, while we say control types, it is understood to divide them into different groups based on this or that classification feature of the activity aimed at a particular regulation.

Among these types of control, the prosecutor's control is of special importance, it differs according to its subject of control, purpose, tasks, scope of social relations, forms of implementation, types of control documents, scope and legal consequences.

In accordance with Article 118 of the Constitution of the Republic of Uzbekistan, control over the accurate and uniform implementation of laws in the territory of the Republic of Uzbekistan is carried out by the Prosecutor General of the Republic of Uzbekistan and prosecutors subordinate to him.

Along with Article 20 of the Law of the Republic of Uzbekistan "On the Prosecutor's Office" (new edition), control over the implementation of laws, i.e. ministries, state committees, agencies, citizens' self-government bodies, public associations, enterprises, institutions, organizations and ministries, state committees and agencies Execution of laws by military units, military structures, governors and other officials, as well as the compliance of documents adopted by them with the Constitution and laws of the Republic of Uzbekistan is considered as the subject of control.

However, Professor M.H. Rustamboev said, "Prosecutorial control means the timely detection and elimination of violations of the law by officials with special powers on behalf of the state – prosecutors, and must be understood as an 'activity aimed at ensuring clear and identical implementation of the laws by bringing the perpetrators to justice in the manner prescribed by law. [5]"

I.A. Imanov defines the prosecutor's control as "clear and identical implementation of legislation, respect for the rights and legitimate interests of citizens, control over the legality of criminal proceedings.[6]"

As stated by some sources, "the essence of prosecutorial control is: a) it is an independent, specific type of state activity, which is part of the absolute function of the prosecutor's office; b) on behalf of the state; c) verification of the correct implementation and enforcement of laws in force in the territory of the state; g) aimed at detection, prevention and elimination of offenses, restoration of the violated legitimacy, bringing the perpetrators to justice in accordance with the law [7].

Studying the legislation of some CIS countries, including Section 3 of the Federal Law of the Russian Federation "On the Prosecutor's Office", it is devoted to "Prosecutorial control", according to Article 21, paragraph 2, "The prosecutor's office does not replace other state bodies in monitoring the implementation of laws. Verification of the implementation of the law is carried out on the basis of information received by the prosecutor's office on violations of the law that require action by the prosecutor, if this information cannot be confirmed or denied without conducting such an inspection[8].

Hence, the prosecutor's office plays an important role in ensuring the rule of law in the field of agricultural development in Uzbekistan, as well as prosecutorial oversight is one of the priorities in this activity. The effectiveness of the prosecutor's control over the implementation of agricultural legislation depends on the fact that prosecutors know the basics of regulation of legal relations in the field, the subject and specifics of the prosecutor's control over the implementation of legislation in this area, violations and methods of detection, as well as the effective use of prosecutorial oversight measures.

It should be noted that the ongoing reforms in the agricultural sector are deepening, and their legal support is becoming increasingly important. Consequently, taking into account the unique role of the agricultural sector in the economy and social life of our country, from the first years of independence in our country began to pay special attention to the reform of this

sector. As its being noted in the literature, "from the first years of independence, special attention was paid to agriculture, the development of market relations in the agricultural sector was identified as a priority, radical reform of the sector, agricultural development, improvement of legislation in the agricultural sector." [9]

Legislative strengthening of systemic work on agricultural reform in the republic and some work is being done in recent years to improve legal mechanisms. In particular, the Decree of the President of the Republic of Uzbekistan dated April 17, 2019 No PR-5708 "On measures to improve the system of public administration in agriculture", June 17, 2019 No. PR-5742 "On measures for the efficient use of land and water resources in agriculture" Decree of the Government of the Republic of Uzbekistan dated October 23, 2019 No PR-5853 "On approval of the Strategy of agricultural development of the Republic of Uzbekistan for 2020-2030", March 18, 2020 No PD-4643 "On further development of the management system of agricultural and food industries" No PD-4709 of May 11, 2020 "On Additional Measures to Specialize the Regions of the Republic for Agricultural Production", No. PD-4767 of June 30, 2020 "On Additional Measures to Improve the Use of Populated Lands" Strengthening the legal mechanisms in agriculture and serves to ensure legitimacy.

It should be noted that according to the Resolution of the President of the Republic of Uzbekistan "On measures to further improve the management system of agricultural and food sectors", the effective implementation of reforms outlined in the Strategy of Agricultural Development of the Republic of Uzbekistan for 2020-2030, the position of Deputy Prime Minister for Agrarian and Food Development has been introduced in the executive structure of the Cabinet of Ministers of the Republic of Uzbekistan compliance with the requirements of the legislation in the field of agriculture and food security in the structure of the Prosecutor General's Office of the Republic of Uzbekistan and the positions of Deputy Prosecutor General of the Republic of Uzbekistan and Deputy Prosecutors of the Republic of Karakalpakstan and regions, senior Assistant to the Transport Prosecutor of the Republic of Uzbekistan, responsible for monitoring their implementation.

Moreover, the Office of Control over the Implementation of Legislation in the Field of Agriculture of the Prosecutor General's Office of the Republic of Uzbekistan was renamed the Office of Control over the Implementation of Legislation on the Development of Agrarian and Food Sectors and the departments of control over the implementation of legislation in the field of agriculture of the prosecutor's offices of the Republic of Karakalpakstan and regions were renamed the departments of control over the implementation of legislation on the development of the agricultural and food sectors, and were allocated 145 additional state units.

CONCLUSION

At the same time, improving the legislation in the field of agriculture, in particular, the transition to the regulation of many social relations regulated by subordinate normative legal acts at the level of laws will also increase the effectiveness of prosecutorial control in this area. In our opinion, based on foreign experience, as well as the role of agriculture in our national economy and food security in the future it is purposeful to adopt "On Procurement and Supply of Agricultural Products, Raw Materials and Feed for State Needs", "On Livestock", "On Land Reclamation", "On State Regulation of Agro-Industrial Production", "On State Support of Agricultural Producers" "On strengthening", "On private gardening", "On safe use of pesticides and chemical fertilizers" and other laws.

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