

DUTIES OF JUDGES AND THEIR POSITION IN SOCIETY

Mubinakhon Umidjon kizi Ismoiljonova

Andizhan State University, 3rd year student of the Faculty of History, Republic of
Uzbekistan

ABSTRACT: *This article talks about the legal status of judges, their rights and obligations, the procedure for election, appointment and tenure, their duties, constitutional principles, ensuring that they can protect human rights and freedoms, and similar issues.*

KEY WORDS: *judge, law, immunity of judges, tenure, right.*

INTRODUCTION

A judge is an official who exercises judicial power. The judge is empowered to administer justice by law, and he performs his duties in a professional manner. The procedure for granting judicial powers established by the law limits as much as possible the occupation of the position of a judge by a person who does not have the necessary professional training, experience and moral qualities. When a judge is called, the concept of justice goes hand in hand, it is evaluated in this way. Each person has his own justice. The concept of justice is used only in relation to the court and judges, but in society, each person should have his own scales of justice. Doing justice in the family, in a workplace is also a form of this. That is, this concept is quite broad. As for the judges, their activities are divided into periods of repression, pre-independence, post-independence and the current so-called new period. In many cases, there were inaccuracies in matters related to criminal prosecution, and there were rumors that the judges sided with the prosecution. Our people usually see courts and judges in movies, in something fictionalized. And in their imaginations, there is a view that it should be like that.

We had forms of criminal proceedings: indictment, contention and mixed forms. In the accusatory form, everything is aimed at accusing the person. According to the Miranda rule, a guilty plea alone cannot be the basis for punishment. In earlier times, it was the form of accusation itself. Later, the rights of people expanded, and as a result of the development, a form of dispute appeared, that is, the accused

defends themselves. We mainly study two families of law: Anglo-Saxon and Romano-Germanic. We have the Romano-German legal system. The Anglo-Saxon legal system deals with precedents, not statutes. In our country, we work with laws and each case and evidence is evaluated individually, the evidence that passed in the previous case may not pass in the next one. In the Anglo-Saxon legal system, the inquest is one, that is, the evidence is heard in court only. We have a preliminary investigation, that is, a closed indictment form, then a court hearing, a adversarial form, in general, the case is considered in a mixed form. That is why the courts in our country are full of disputes and do not look hot as in foreign films, they are considered before, and in them they are heard directly in court.

RESEARCH METHODS

Thus, only a citizen of Uzbekistan with a higher legal education can be a candidate for a judge (and a candidate for a judge of the Constitutional Court of Uzbekistan, in addition, "recognized as having a high qualification in the field of law" should be). As for the requirements for candidates' age and work experience in the legal profession, they are set differently for courts of different levels and levels (sub-systems).

RESULTS AND DISCUSSIONS

In the last three years, President Shavkat Mirziyoyev has adopted several Decrees and Decisions on the further improvement of the judicial system in our country, strengthening measures to reliably protect the rights and legal interests of citizens and entrepreneurs, ensuring effective justice, and ensuring the independence of courts in practice.

Step-by-step reform of the judicial system was also defined in the Action Strategy for 2017-2021. In order to increase the level of citizens' access to justice, to increase the quality of hearing cases in court, and to expand the mechanisms of practically ensuring the equality and appeal of the parties in order to make impartial, fair and legal court decisions, the President adopted on July 24, 2020 "Further improving the operation of courts and improving the efficiency of justice" It would not be an exaggeration to say that the Decree on additional measures to increase the number of cases was another important document for the continuation of reforms in

the judicial system. A candidate for appointment to the main level (including military and economic) courts must be 25 years old, for an appointment to the middle level courts (including military courts) - 30 years old, the Supreme Court of Uzbekistan and To be appointed to the Supreme Economic Court, one must be at least 35 years old, and to be appointed to the Constitutional Court of Uzbekistan - 40 years old. There is no official age limit for candidates. According to the Constitution of Uzbekistan (Article 112), judges are independent and subject only to the law [1]. It is not allowed to interfere with the activities of judges in the administration of justice in any way, and such interference is a cause of responsibility according to the law. Immunity of judges is guaranteed by law. Judges cannot be senators, deputies of representative bodies of state power. Judges may not be members of political parties, participate in political activities, or engage in any other types of paid activities other than scientific and pedagogical activities. A judge may be released from his duties as a judge before the end of his term of office only if there are grounds specified by law [2]. The legal status of judges, their rights and obligations, the procedure for election, appointment and tenure, guarantees of their independence, as well as their material and social support are defined in the Constitution and the Law on Courts [3].

According to Article 112 of the Constitution of the Republic of Uzbekistan, "Judges are independent and subject only to the law. It does not allow to interfere in any way with the activities of judges in the administration of justice, and such interference is a cause of responsibility according to the law. Immunity of judges is determined by law. A judge may be released from his duties as a judge before the end of his term of office only if there are grounds specified in the law.

The main directions of deepening the democratic changes in judicial reform were determined at the 9th session of the Oliy Majlis of the 2nd convocation held on August 29, 2002. The main task is to ensure the independence of the courts, not in words, but in practice. The First President of our country I.A. Karimov, who participated in the session, said: "It should not be forgotten that where the independence of judges is not ensured, the law is usually violated, and there cannot

be justice" [4]. The guarantee system for ensuring the independence of judges is defined in Article 67 of the Law "On Courts", which is implemented through:

- Election, appointment and dismissal of judges in accordance with the law;
- Their inviolability;
- Strict principle in the implementation of justice;
- It is forbidden to keep the advice of judges confidential and to demand its disclosure when making a decision;
- The judge is provided with material and social support from the state appropriate to his high status.

The powers of judges are suspended only if one of the following grounds exists:

- 1) If the judge is engaged in activities contrary to his position;
- 2) If the judge is subjected to coercive medical measures or his capacity to deal is limited by a court decision;
- 3) If the judge was found missing by court decision.

CONCLUSION

In world practice, the approach to the issue of the term of office of judges is different. This issue of authority is very important, because it is related to ensuring the independence of judges. In a number of countries, judges are appointed for life, that is, until reaching the statutory retirement age. In other countries, judges are appointed for a much longer period of time.

The new laws to be adopted based on the decree will remove excessive bureaucratic obstacles in providing judicial protection, avoid repetitive stages of reviewing court decisions, ensure that investors' rights are protected by courts, and bring the current structure of judicial bodies into line with modern requirements and international standards.

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