JOURNAL OF INTELLECTUAL PROPERTY AND HUMAN RIGHTS

Volume: 4 Issue: 7 | july–2025 ISSN: 2720-6882
http://journals.academiczone.net/index.php/jiphr

Simplification of Preliminary Investigation in the Criminal Procedure of the Republic of Uzbekistan

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Annotation: This article explores the development and application of simplified preliminary investigation procedures within the criminal justice system of the Republic of Uzbekistan. In recent years, Uzbekistan has undertaken significant reforms aimed at optimizing criminal proceedings, enhancing procedural efficiency, and ensuring the protection of constitutional rights. A key element of these reforms is the simplification of preliminary investigation for minor offenses characterized by clear factual circumstances and strong evidence. The article outlines the legislative and institutional framework for simplified procedures, stages of preliminary investigation, categories of eligible cases, and procedural safeguards for all participants. Special attention is paid to the role of prosecutorial and judicial oversight, the use of modern technologies, and the impact of simplified proceedings on the efficiency and quality of investigations. The study concludes by identifying the main goals and future prospects for the development of simplified criminal procedure in Uzbekistan, including the expansion of applicable case categories, technological modernization, and professional training for law enforcement personnel.

Reformation of the criminal procedure legislation of the Republic of Uzbekistan in recent years has been aimed at optimizing the justice system, increasing its efficiency, and ensuring compliance with the principles of fairness. One of the key directions of these reforms is the simplification of preliminary investigation, which is intended to reduce the duration of criminal case proceedings, decrease the procedural burden on investigative and inquiry bodies, and ensure a quicker restoration of the violated rights of victims.

The reforms taking place in the judicial and legal system and legislation of the Republic in recent years — in particular, the improvement of criminal and criminal procedural legislation, the inclusion of the institution of pre-investigation checks in the Criminal Procedure Code, the transformation of the essence of the inquiry institute, the adoption of the Law of the Republic of Uzbekistan "On Operational-Search Activities," as well as laws concerning the activities of law enforcement agencies, namely the Laws of the Republic of Uzbekistan "On the Internal Affairs Bodies of the Republic of Uzbekistan," "On the State Security Service of the Republic of Uzbekistan," and "On the State Customs Service" — necessitate a revision of the interaction between investigative and operational-search units of law enforcement agencies in the field of crime detection and investigation.

The simplification of preliminary investigation represents a set of measures aimed at optimizing the procedures for investigating certain categories of criminal cases while maintaining all necessary guarantees for the protection of the rights and lawful interests of participants in the criminal process.

The system of preliminary investigation originally formed during the medieval inquisitorial process, in which three distinct stages had already emerged: general investigation (*inquisitio generalis*), summary proceedings (*inquisitio summaria*), and special investigation (*inquisitio specialis*).[1]

[1] Смирнов А.В., Калиновский К.Б. Подробнее об этапах предварительного расследования в основных мировых системах уголовного судопроизводства см.: Уголовный процесс. Учебник для вузов. СПб., 2004. С. 346-349.

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The foundation for the introduction of simplified procedures in the criminal process is based on the constitutional principles of the Republic of Uzbekistan, as enshrined in the country's Constitution. These include the principles of legality, equality before the law, the presumption of innocence, the right to defense, and the right to a fair trial.[2] The Criminal Procedure Code of the Republic of Uzbekistan contains special provisions regulating simplified procedures of preliminary investigation. These provisions establish a specific order of proceedings for certain categories of criminal cases characterized by relatively simple factual circumstances and clear evidence. The procedures of simplified investigation are further detailed through departmental instructions and methodological guidelines issued by the General Prosecutor's Office, the Ministry of Internal Affairs, and other law enforcement agencies of Uzbekistan.

General Investigation is so named because it is conducted before a suspect has been identified, and therefore concerns a relatively undefined (general) group of individuals. The main goals of such an investigation are to establish whether a criminal offense has occurred, to identify and expose the person responsible, or to exonerate an innocent person. During this phase, preparations are made to bring forward what is known as an initial charge at the next stage.

The second stage of the preliminary investigation, traditionally referred to as summary proceedings, begins once a suspected offender has been identified. At this point, it is necessary to assess the body of evidence collected in the case (in a sense, to "summarize" it), to bring charges against the suspect, and to hear their defense arguments. In other words, the summary proceedings stage is intended for the formulation of an initial charge and the clarification of the defense's position. In Russian criminal procedure, this stage corresponds to the issuance of a resolution to indict a person, the presentation of charges, the questioning of the accused, and the determination of preventive measures.

The third stage of the preliminary investigation is known as special investigation, which is conducted in relation to a specific accused individual. At this stage, based on the confirmation or refutation of defense arguments raised during or after the summary stage, the validity of the prosecution's evidence is re-examined, and the final charges are formulated. In the Russian criminal procedure system (during preliminary investigation), this stage begins after the interrogation of the accused and concludes with the drafting of the indictment.[3]

Criminal cases subject to simplified proceedings include offenses of minor gravity, that is, intentional or negligent acts for which the maximum punishment does not exceed three years of imprisonment. These may include cases involving petty theft, minor bodily harm, small-scale fraud, and other similar offenses. Simplified proceedings also apply to cases where sufficient and indisputable evidence of the suspect's or accused's guilt has been collected, including situations where the person was apprehended at the scene of the crime, where there is video footage of the offense, eyewitness testimony, or other objective evidence that does not require further verification or expert analysis.

The specific features of simplified proceedings consist in the reduction of procedural timeframes without compromising the quality of the investigation. While the standard duration of a preliminary investigation can be up to two months (with possible extension), under simplified proceedings it is reduced to one month. This is achieved through the optimization of procedures for collecting and evaluating evidence, elimination of redundant investigative actions, and the use of modern technical tools for recording the results of the investigation.

[2] Хидоятов, Б., & Худайбергенов, Б. (2025). Предварительное следствие в Республике Узбекистан и перспективы его совершенствования. Общество и инновации, 6(1/S), 348–356. https://doi.org/10.47689/2181-1415-vol6-iss1/S-pp348-356.
[3] Смирнов А.В., Калиновский К.Б. Уголовный процесс. СПб.: Питер, 2005. 272 с. – (Серия «Краткий курс»).

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Moreover, simplified proceedings allow for the limitation of investigative actions to only those necessary for establishing the truth in the case, which helps avoid a formalistic approach and instead focus on the essential circumstances of the case.

Procedural aspects of simplified investigation include a simplified procedure for initiating a criminal case, where the decision is made based on a minimal set of preliminary materials, provided there are sufficient grounds indicating that a crime has been committed. The investigation planning takes into account the specifics of simplified proceedings, prioritizing urgent investigative actions and the rapid formation of an evidentiary base. Document management in simplified proceedings is also optimized through the use of standardized forms of procedural documents and, where provided by law, electronic document processing.

Despite the reduction of procedural formalities, the rights of participants in the process remain fully guaranteed under simplified proceedings. The suspect and the accused are ensured the right to defense, including the right to legal counsel from the moment of actual detention or formal charges. The victim retains all procedural rights, including the right to access case materials, submit motions, and appeal the actions and decisions of investigative authorities. Witnesses and other participants in the process are likewise entitled to the rights and guarantees established by law, and their testimonies are recorded in full compliance with the requirements of the criminal procedure legislation.

The role of prosecutorial oversight becomes especially significant in the context of simplified proceedings**,** as shortened timeframes and streamlined procedures necessitate stricter control over legality. The prosecutor oversees the observance of legal standards by investigative bodies, verifies the justification of procedural decisions, and, when necessary, issues instructions for additional investigative actions or the rectification of violations. Special attention is given to monitoring the timeliness of investigative actions and procedural decisions, as well as to ensuring the protection of the rights and lawful interests of all participants in the criminal process.

Judicial control under simplified proceedings is carried out within the general framework of the principles of criminal procedure. The court reviews complaints against actions and decisions of investigative bodies, authorizes the use of preventive measures in cases stipulated by law, and rules on other matters within its jurisdiction. In doing so, the court considers the specifics of simplified proceedings and the need to ensure reasonable timeframes for case review, avoiding unjustified delays.

The application of modern technologies and technical tools plays a key role in the efficiency of simplified proceedings. The use of digital recording for investigative actions and outcomes, automated systems for tracking and monitoring the movement of criminal cases, electronic databases, and reference systems significantly accelerates the investigation process and improves the quality of decisions made. The introduction of video conferencing for conducting certain procedural actions, and the use of advanced forensic technologies and expert analysis methods, further contribute to the optimization of simplified proceedings.

The practical outcomes of implementing simplified procedures in the criminal process of the Republic of Uzbekistan demonstrate their effectiveness and viability. Statistical data indicate a reduction in the average duration of investigations in relevant categories of cases, a decrease in the workload of investigative units, and improved quality of preliminary investigations. At the same time, there is a noted increase in the satisfaction of process participants with the speed of case review and restoration of violated rights. The positive experience of applying simplified procedures provides a strong foundation for the continued development and improvement of this institution within Uzbekistan’s criminal procedure law.

The prospects for the development of simplified proceedings are linked to the further differentiation of the criminal process, the expansion of categories of cases eligible for simplified investigation, and the

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improvement of procedural mechanisms. Plans include the introduction of additional technological solutions aimed at automating routine procedures and increasing the efficiency of procedural decision-making. An important area of development also involves enhancing the training of personnel to work under simplified procedures, including education in modern investigative methods and the use of new technical tools.

The main objectives of the institution of simplified proceedings are as follows:

1. To ensure that the consequences of criminal liability occur as close as possible to the moment the crime is committed, thereby enhancing the preventive effect of criminal legislation;
2. To increase the speed and efficiency in identifying factual information relevant to the resolution of a criminal case;
3. To achieve procedural economy.

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