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### **CRIMINAL LIABILITY FOR FAILURE TO EXECUTE COURT DOCUMENTS: SOCIAL NECESSITY, LEGAL DEVELOPMENT AND PRACTICAL PROBLEMS**

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#### **Abstract:**

This thesis analyzes the socio-legal foundations of criminal liability for failure to execute judicial documents, its impact on the effectiveness of justice, and the stages of historical development of criminal legislation. It also critically examines the changes in Articles 232 and 232<sup>1</sup> of the Criminal Code of the Republic of Uzbekistan, the relationship between administrative and criminal liability, and the significance of reforms in the field of execution of judicial documents.

**Keywords:** justice, judicial documents, execution, criminal liability, judicial power, judicial execution, criminal law, execution proceedings.

The judiciary, as an independent branch of state power, plays a decisive role in ensuring legality, justice and the rule of law in society. However, the failure to enforce legal and justified documents issued by the court in practice undermines the essence of justice and weakens citizens' confidence in judicial protection. Therefore, the enforcement of judicial documents is not just a procedural stage, but a crucial mechanism for restoring justice.

In recent years, large-scale reforms have been carried out aimed at reforming the judicial system, ensuring the unconditional enforcement of judicial documents, and improving accountability mechanisms in this area. In particular, legal



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approaches aimed at increasing the efficiency of justice by improving criminal liability for failure to enforce judicial documents are of particular importance. From this point of view, the social necessity of establishing criminal liability for non-execution of judicial acts, its historical formation and analysis of its place in current legislation are of urgent scientific, theoretical and practical importance. The court is the only authority implementing fair trial, and the execution of judicial acts determines its effectiveness. Non-execution reduces the authority of the judicial system and the trust of citizens. Judicial and legal reforms serve to improve the indicators of the rule of law and the quality of judicial proceedings in Uzbekistan[1].

Ensuring legality and fairness in criminal proceedings, effective protection of rights, elimination of bureaucratic obstacles, strengthening judicial independence, digitization, development of the principles of adversarial and equality are the priorities of judicial and legal reforms[2].

A citizen applies to the court for his violated rights, but if judicial acts are not executed, the authority of the court decreases and the right to judicial protection is violated. Execution of a court decision is a decisive stage in the restoration of rights[3].

Non-execution of a court order is a socially dangerous act, and Article 232 of the Criminal Code and related articles establish criminal liability[4], which harms the interests of justice, the state and society, and negatively affects the rights of citizens[5].

If we look at history, from the 8th century to the 20s of the 20th century, judicial proceedings in our country were conducted based on Sharia[6]. In the 11th-14th centuries, several types of legal documents were in force in the activities of the courts in our country. Among them, the Madhhab - a document that is used during the judicial proceedings, which only records the claims of the parties participating



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in the trial and the defendant's attitude to the claim, as well as the testimony of witnesses in this claim. The sigil is an official document in which the judge's verdict is written, which also indicates the claims raised. It also indicates the region in which the judge's verdict will be executed[7].

Since the punishments and decisions imposed by the judge on the basis of Sharia law are immediately and unconditionally executed, Sharia law does not provide for liability for failure to execute or obstruction of their execution.[8]

Chapter XVI of the Criminal Code of Uzbekistan, which entered into force on April 1, 1995, lists the types of crimes against justice. Initially, Article 232 of this chapter was called "Criminal Liability for Failure to Execute a Court Decision," and its disposition stated that "intentional failure by an official to execute a court or judge's judgment, ruling, ruling, or decision or obstruction of their execution" would entail criminal liability.[9] In this case, "the subject of the crime may be only officials - heads of organizations, enterprises, and institutions within the scope of their authority to execute sent court documents"[10]. Later, the name of this article was changed to "Non-execution of a judicial act." [11] In our opinion, the change in the name of this legal norm was correct, since a judicial act is a broader concept than a court decision and includes all documents issued by courts. A court decision often means only a decision issued by courts.

In legal literature, a judicial act is understood as a judicial act (court order, ruling, decision, resolution, verdict) issued by a court of general jurisdiction or an economic court and entering into legal force, as well as executive orders issued in accordance with the established procedure based on the decisions of arbitration courts and foreign courts[12].

In the period of active democratic reforms and modernization of the country, which began in 2001, increased attention was paid to the reform and further liberalization of the third branch of power - the judicial and legal system[13]. In



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particular, the adoption of the Law of the Republic of Uzbekistan “On the Execution of Judicial Acts and Documents of Other Bodies”, which regulates legal relations in the field of execution of judicial acts and documents of other bodies, brought reforms in this area to a new level.

Also, in accordance with the Law of the Republic of Uzbekistan No. ZURQ-762 dated April 11, 2022, Article 2321 (Interference in the process of compulsory execution of judicial documents and documents of other bodies) establishes criminal liability for interference in the process of compulsory execution of judicial documents and documents of other bodies, that is, continuing to obstruct the execution of an executive document or exert unlawful influence on a state bailiff in various forms after the imposition of an administrative penalty.

The commission of the acts provided for in this article by an official was considered an aggravating factor in the punishment[14].

It can be said that such changes indicate that the history of the development of criminal law norms establishing liability for failure to execute judicial documents is inextricably linked with the rapid growth of this type of acts and the emergence of new types of socially dangerous acts in this area.

In conclusion, the social necessity of establishing criminal liability for non-execution of a judicial act is manifested in the following: it impedes fair trial, violates the constitutional rights of citizens, reduces the effectiveness of judicial acts, undermines confidence in the judiciary, and negatively affects the authority and economic interests of the court.

### **References:**

1. <https://www.doingbusiness.org/en/reports/global-reports/doing-business-2021>



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2. Decree of the President of the Republic of Uzbekistan “On the Development Strategy of New Uzbekistan for 2022-2026”. <https://lex.uz/docs/5841063>
3. Gladyshev S.I. Executive production in England. -M.: Lex Kniga, 2002. - P.6.
4. Kabulov R., Otajonov A. Crimes against fair justice. Textbook. T.: 2013. - P.50.
5. Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan “On some issues of applying the laws on criminal liability for evasion of execution of judicial documents and obstruction of their execution”. <https://lex.uz/acts/1602168>
6. Tadzhibayeva.A.Yu. Ensuring the legality and validity of judicial documents in criminal proceedings. Candidate of Law. Dissertation for the Doctor of Law. – T.: 2010.-B.14-15
7. Bekmirzaev.I.I. Burkhanuddin Mahmud al-Bukhari's work "al-Muhit" and its role in the judiciary of Movarunnahr. Candidate of Law. Dissertation for the Doctor of Law. – T.: 2009.-B.123.
8. B.F.Yusupov. Problems of criminal liability for failure to execute judicial documents. Candidate of Law. Dissertation for the Doctor of Law. – T.: 2010.-B.27.
9. Criminal Code of the Republic of Uzbekistan. 1998.
10. Rustamboev. M.Kh. Comments to the Criminal Code of the Republic of Uzbekistan Special section T.: “Ilm-Ziyo”, 2006.-P.638-639.
11. Collection of Legislation of the Republic of Uzbekistan. 2009.No.3,Article 9
12. Kabulov.R., Otajonov. A. Crimes against the just trial. Textbook T.;;2013.- P.50.
13. Erkaev. A. The path of Uzbekistan.-T.: Manaviyat, 2011. -P.132.
14. Law of the Republic of Uzbekistan No. ZURQ-762 dated April 11, 2022. National database of legislative information, 12.04.2022, No. 03/22/762/0290.