

IMPROVEMENT OF THE EVALUATION SYSTEM OF JUDGES' PERFORMANCE IN UZBEKISTAN

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Abstract

In this article, the procedure and criteria for evaluating the effectiveness of judges in the Republic of Uzbekistan, their current state, the urgency of their improvement, the experience of foreign countries on the system of evaluating the effectiveness of employees, the suggestions for improving the procedure and criteria for evaluating the effectiveness of judges and their relevance are considered.

Keywords: Evaluation of the effectiveness of judges, electronic information system of justice, corps of judges, justice, evaluation criteria, quantitative analysis, qualitative analysis.

Introduction

From the early days of our country's independence, to gradually strengthen the judicial power, to ensure the independence of the court, to turn it into an independent state institution that serves to reliably protect and protect the rights and freedoms of people and citizens, rather than a body as a tool of repression and punishment, as in the previous system. large-scale organizational and legal measures have been implemented.

Ensuring the true independence of the judiciary, increasing the effectiveness and prestige of the courts, further improving the structure of the courts and the system of selection and appointment of candidates for judicial positions, and the openness, transparency, fairness, and transparency of the activities related to the professional and career growth of judges, and the appointment to leadership positions are inextricably linked.

In the Republic of Uzbekistan, in the implementation of activities aimed at strengthening justice, the rule of law and ensuring legality, and the reliable protection of individual rights and interests, to select, prepare, and appoint candidates for judicial positions from among the most qualified and responsible specialists, as well as to nominate them to the positions of leading judges. it is important to ensure timely protection of their rights and interests by forming the corps of judges by selecting suitable personnel.

In this regard, Decree No. PF-60 of the President of the Republic of Uzbekistan dated January 28, 2022 "On the Development Strategy of the New Uzbekistan for 2022-2026", approved by Decree No. PF-11 of the President of the Republic of Uzbekistan dated January 16, 2023 "Designed for 2023-2026 Short-term strategy of bringing the judicial system to a new level in terms of quality" and of the President of the Republic of Uzbekistan Decree No. PF-6127 of December 7, 2020 "On measures to ensure the true independence of judges and increase the effectiveness of preventing corruption in the judicial system" is of great importance in shaping the judiciary in our country.

The development strategy of this new Uzbekistan has defined seven main tasks in the priority direction, in which - in making the principles of justice and the rule of law the most basic and



necessary condition for development in our country, it is important to properly organize the procedure for evaluating the effectiveness of judges.

Main part

At the same time, during the period of reforms being carried out in the Republic, one of the pressing issues is the assessment of the effectiveness of judges' activities in the judicial system, the analysis of existing regulatory legal acts in this area, the importance of their improvement, the practice of foreign countries in this area and which of them can be applied to Uzbekistan. The Decree of the President of the Republic of Uzbekistan No. PF-6127 dated December 7, 2020 "On measures to ensure the true independence of judges and increase the effectiveness of preventing corruption in the judicial system" introduced an electronic procedure for assessing the effectiveness of judges' activities.

By analyzing the Regulation "On the Procedure for Electronic Rating Assessment of the Efficiency of Judges" by the Resolution No. 1646 of the Supreme Judicial Council of the Republic of Uzbekistan dated December 6, 2021, we can see that the efficiency of judges' activities is assessed on the basis of main and additional criteria in a 100-point assessment system without human factors and intervention.

The main assessment criteria in it are the quality of judicial decisions, the responsibility and ethics of the judge, and the judge's knowledge of foreign languages. In addition, the large workload of judges, their activity in the online forum of the judges' club, their academic degree, participation in professional development of judges, and the achievement of reconciliation (agreement) of the parties in a particular case are additional assessment criteria. Of course, the results of this rating are of great importance in the transfer of judges to the next term, promotion, transfer to another position, appointment to leadership positions, and motivation of judges.

Based on the experience of foreign countries, especially South Korea and Japan, despite the small land area and the lack of natural resources, great attention is paid to the system of effective use of human capital, which is considered the most important factor in development, in order to develop the country rapidly and have a strong economy in the world community.

Therefore, in order to ensure a transparent system for personnel issues, a "Human Resource Management" department was established.

One of the tasks of this department is to provide information on the assessment of employees' activities based not only on quantitative analysis, but also on qualitative analysis.

Currently, it can be seen that data is being entered into the electronic information program for assessing the effectiveness of judges' activities by the secretary of the judicial qualification board, and the program evaluates this data based on quantitative analysis.

That is, the assessment is made based on a "quantitative" analysis, without taking into account the complexity of the caseload, the criteria for the category of work, and the stability of court decisions on these cases.

This, in turn, shows that it is appropriate to organize the evaluation system of judges' performance without the human factor and intervention, not only with "quantity" but also with "quality" analysis.



Conclusion

Having analyzed these international experiences and the established procedure for assessing the effectiveness of judges, it is important to introduce the following in the Republic of Uzbekistan:

Ensure full integration of the system for assessing the effectiveness of judges with the electronic information system "Adolat" implemented in the courts;

In addition to the criteria introduced for assessing the effectiveness of judges, introduce criteria for the complexity of the case series and category;

It is necessary to ensure the integration of the system for assessing the effectiveness of judges with the relevant interactive services of other state bodies.

The practical implementation of these proposals in the system for assessing the effectiveness of judges in the Republic of Uzbekistan, the organization of the system for assessing the effectiveness of judges in a manner that is impartial and transparent, fair, just, without human factors and without interference, and combines "quantitative" and "qualitative" analysis, will allow for an objective and fair assessment of the activities of judges.

The above opportunities will lead to the provision of online, objective and human-free data on the effectiveness of judges' activities every minute, constant monitoring of changes in rating scores by judges, a significant reduction in the exchange of judicial documents in courts, and an acceleration of the exchange of information on the effectiveness of judges' activities.

As a result, by ensuring that the system for assessing the effectiveness of judges is organized in a manner that is objective and transparent, fair, impartial, without human factors and interference, and in a manner that combines "quantity" and "quality" analysis, it will help the judicial system select and appoint morally mature judges who have sufficient knowledge and life experience and are capable of delivering justice at the historical turning point in the new Uzbekistan, select worthy candidates for leadership positions, fill the judicial system with qualified and honest personnel, fully ensure the rights and freedoms and legitimate interests of citizens, and transform the courts into a truly independent institution of the state that protects and reliably defends human rights and freedoms.

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