

“PECULIARITIES OF THE INSTITUTION OF A PLEA AGREEMENT”

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Introduction of the institution of a plea agreement into the criminal, criminal procedural legislation of our country is an important factor in promoting the protection of human rights, freedoms and legitimate interests to a higher level.

The plea bargaining system has its pros and cons. This speeds up proceedings and reduces the burden on the courts, and requires strict control and ensuring fairness and transparency at every stage of the procedure.

Key aspects of improvement:

1. Increase transparency:

- Ensuring transparency in the contracting process to avoid pressure on suspects and accused.

2. Protection of the rights of participants:

- Guarantees of the rights and protection of suspects and their defenders, so that the process is fair and voluntary.

3. Public control:

- Active participation of civil society in monitoring the application of such agreements.

Also, the conclusion of a negotiated plea agreement is the most important provision enshrined in the Criminal Procedure Code of the Republic of Uzbekistan on the basis of strict norms. For through these norms one can see that the true essence of the crime lies not in restricting the freedom of a person who has committed a socially dangerous act, but in his legal education, that at the time he is found guilty, mitigating circumstances can be applied to him, and at the same time through These norms and the principle of legality are also reflected in this Code and its norms.

Based on the basics that I outlined above and foreign experience, I would like to make the following proposal:

"Plea agreement for minor crimes only"

The plea agreement stipulates that criminal proceedings must be carried out with a prosecutor supervising it, on the basis of a petition from a suspect or accused who agrees with the suspicion or accusation brought against him, actively assisting in solving the crime and eliminating the damage caused, only in relation to petty crimes types, that is, crimes not directly related to imprisonment. Because the fact that an agreement can be concluded for other types of crimes can lead to neglect of the norms established by legislation in the criminal world in society and to the loss of their value. For this reason, I find the above suggestion useful and important.

When concluding an agreement to find the defendant guilty, the prosecutor must take into account the public interests, the severity of the punishment and the individual characteristics of the defendant.

Based on the premises I have presented and international experience, I propose to consider the possibility of introducing an "agreement to ensure guilt only for minor crimes."

The essence of the proposal

This agreement means that criminal proceedings for minor crimes not involving imprisonment can be initiated by the prosecutor at the request of the suspect or accused.

Rationale.

Here are some suggestions for improving the plea agreement:

1. Development and implementation of training programs on emotional literacy and communication skills to improve the ability to admit mistakes and conduct constructive dialogues.

2. Organizing regular trainings and seminars for managers and employees on the topic of admitting guilt and building trusting relationships.

4. Introducing a feedback system that allows employees to evaluate the effectiveness of the plea agreement and suggest improvements.

5. Conducting campaigns and activities to raise awareness of the importance of admitting guilt and its positive impact on the work environment and relationships between colleagues.

Implementing a "plea agreement for minor crimes only" can have a number of benefits:

Reducing the burden on the judicial and legal system:

Reducing the number of cases requiring a full trial.

Optimization of law enforcement activities.

Reducing the processing time of cases:

Accelerating the achievement of justice for both sides.

Saving time and resources.

Encouraging admission of guilt:

Encourage the accused to cooperate with justice.

The ability to take responsibility for your actions and avoid more severe punishment.

Damage restoration:

The contract may contain provisions for compensation for damages to the victim.

Factors taken into account

The prosecutor, when concluding an indictment agreement:

Taking into account public interests;

Assessing the severity of the crime and its impact on society;

Taking into account the severity of the punishment:

Ensuring that the punishment matches the nature and gravity of the crime.

Consider the individual characteristics of the defendant:

Fair consideration of each case, taking into account the personality of the defendant.

Restrictions;

It should be noted that this proposal does not apply to serious and especially grave crimes, as well as crimes related to deprivation of liberty.

Conclusion

The introduction of "plea agreements only for minor crimes" can be an effective means of regulating the activities of the judicial and legal system, reducing the time required for resolving cases, encouraging the admission of guilt and compensation for damage caused by the crime.

It is important to note that this proposal is only a starting point for further discussion.

Before a final decision is made to implement it, careful analysis and discussion must be carried out with the involvement of all interested parties.

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