

## LEGAL BASIS OF ADVOCACY AND ADVOCACY ACTIVITY IN THE REPUBLIC OF UZBEKISTAN

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**ANNOTATION:** This article describes the organization of the legal profession in the Republic of Uzbekistan, its stages and history of development, as well as the legal framework. At the same time, special attention is paid to what is advocacy and what is advocacy, the types of advocacy, their differences and similarities, the main tasks to be performed, the scientific analysis and the field of advocacy. A number of development proposals have been put forward.

**Keywords:** advocacy, historical development, legal framework, legal advice, legal bureau, advocacy structure, law enforcement, legal status, status, advocacy.

The main goal of the reforms implemented during the years of independence is to raise the level of various aspects of society, economic development of the state, raising the living standards of the population through the effective use of its potential, as well as raising legal awareness and culture.

In this case, the Constitution of the Republic of Uzbekistan [1] serves as a legal basis. The legislation adopted to implement the tasks identified as a priority in the consistent implementation of reforms in various areas is based on the Constitution and the norms of international law.

The main goal of the ongoing legal reforms in our country is to build a legal, civil society. In such a society, the protection of human rights and freedoms is a priority. In turn, one of the key factors in protectionism is to reform the legal profession and ensure its effective functioning.

In the Middle Ages, judges in the East were served by muftis and clerics who were experts in Islamic jurisprudence. They provided legal assistance to applicants and other citizens for a fee. This means that our country has always had its own image of human and civil rights institutions.

The Institute of Public Advocacy has been developing in Europe since the 17th century. It was later transformed into a public organization. The first bar in Uzbekistan as a self-governing organization was established in 1879 in Kokand under the name "Branch of Defenders". It was opened by Abdunabi Kurolbaev, who studied law in St. Petersburg. In 1920, when the judiciary began to operate in all major cities in Turkestan, lawyers also worked under these courts. But they were not bound by the court. Each court had one or two attorneys who acted solely on the fees paid by those in need of protection. At that time, there were 33 leading lawyers in Kokand, 41 in Samarkand, 32 in Bukhara, and 9 in Khorezm.

The Bar of the Republic of Uzbekistan is radically different in all respects from the bar of the recent past. First of all, ensuring the harmonization of the activities of advocacy structures in a centralized manner, corporate unity, high standards for the legal profession, ensuring the quality of qualified legal assistance provided by them, monitoring compliance with the rules of professional ethics of lawyers the opportunity to protect their freedoms was created. Because the legal profession has a special place in the democratization and renewal of society, in the construction of civil society.

In our country, the implementation of the constitutional norm strengthening the right of citizens to qualified legal assistance at any stage of the investigation and court proceedings, ensuring the organizational independence of the bar, filling it with highly qualified personnel, strengthening the guarantees of the independence of lawyers; The Decree of the President of the Republic of Uzbekistan dated May 1, 2008 "On measures to further reform the legal profession in the Republic of Uzbekistan" [3] was adopted.

The Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated May 27, 2008 "On the organization of the Chamber of Advocates of the Republic of Uzbekistan" was adopted as a logical continuation of the Decree. was to help raise the legal status of those involved in advocacy [4].

The decree marked a new stage in the reform of the legal profession in our country. After that, the Law "On amendments and additions to some legislative acts of the Republic of Uzbekistan in connection with the improvement of the Bar" was adopted and came into force on January 1, 2009.

The law introduced a number of important changes and additions to the Law on Advocacy [5] and the Law on Guarantees of Advocacy and Social Protection of Advocates [6].

A lawyer is a participant in criminal proceedings without whom the court cannot function as a state authority. This, in turn, is further evidence of the special status of the bar.

The legal status of the law firm, the bar, the law firm and legal advice, which are the structures of the bar, is defined separately. The lawyer must have an internship and constantly improve their knowledge. A lawyer also acts on the basis of an agreement (contract) with a trustee.

Thus, in our country, the legal profession is gaining its place as a public legal institution with a special legal capacity, which has a socially important task of providing qualified legal assistance to citizens and organizations.

The state guarantees the necessary protection in the event of a threat to the life and health of a lawyer or damage to his property as a result of his professional duties. This means that the legal profession also requires a certain amount of hard work and dedication.

The judiciary, justice, prosecutor's office and advocacy systems, which have the highest goal of ensuring the rule of law in our country, work together on the basis of equal rights and opportunities, fulfilling their duties with honor and making a worthy contribution to the development of our country there is no doubt.

However, the analysis shows that the legal profession has not yet become a credible human rights institution, and there are a number of factors that hinder the full realization of the rights of lawyers and prevent them from providing quality legal assistance. In particular:

First, some inquiry and investigation officials prevent lawyers from accessing their clients (superiors) for superficial reasons, in which case the existing mechanisms for dealing with lawyers' complaints effectively prevent cases of obstruction of advocacy. does not provide access;

secondly, the requests of lawyers to various organizations for the effective protection of the rights and interests of individuals and legal entities are often ignored, first of all, by government officials, the exact procedure for consideration of the lawyer's request and no time limits, no liability for knowingly providing false or misleading information;

third, the role of the Chamber of Advocates of the Republic of Uzbekistan (hereinafter referred to as the Chamber of Advocates) as a defender of the bar is diminished, its interaction with lawyers is limited to the collection of statistics and excessive bureaucracy;

fourth, the existing organizational and legal forms of advocacy structures do not contribute to the development of competition in the legal services market, the fact that the provision of legal advice is not separated from the legal profession has a negative impact on the development of the industry;

fifth, the system of licensing of legal activity does not take into account the division of legal practice into relevant areas, which has a negative impact on the specialization of the legal profession;

sixth, significant administrative influence on the suspension and termination of a lawyer's license is allowed, resulting in a violation of the freedom and independence of the bar;

Seventh, due to lack of knowledge and unscrupulous attitude to their professional duties, lawyers often violate the requirements of the Code of Professional Ethics of Lawyers, the secrecy of the bar and the oath of office, which leads to the dissatisfaction of attorneys [clients] [ 8].

It should be noted that the changes in the reform of the legal profession and the effect of ensuring the right of citizens to qualified legal assistance, in many respects, affect the professionalism of lawyers currently working. , is directly related to the level of knowledge and the extent to which they understand the goals and objectives of the reforms.

Ongoing reforms in the judicial sphere also require the development of the legal system at the level of today's requirements and the continuous improvement of legislation in this area. A strong, independent advocacy system is an important guarantee of the protection of individual rights and freedoms in civil society.

In conclusion, the improvement of legislation in our country to create a unique national system of advocacy in accordance with international law will ultimately serve as a solid foundation for building a democratic state governed by the rule of law and a strong civil society.

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