

STAGES OF EMERGENCE AND DEVELOPMENT OF THE INSTITUTE OF  
ADVOCACY IN THE REPUBLIC OF UZBEKISTAN.

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**The annotation:** *This article describes the origins and development of the advocacy institute in our independent state. In particular, the article describes the content and environment of the normative-legal documents adopted in each of the advocacy institutes steps of history, which are used exclusively and analyzed to a certain extent.*

**Key words:** *the Institute of Advocacy, the structural authorities of the Advocacy, the Advocacy Council, constitution, law.*

In all developed countries of the world, issues related to the legal status of the structures of the bar and self-management bodies are of urgent importance in the development of the bar institute.

In each country, the establishment of advocacy structures and self-government bodies for the protection and effective enforcement of the rights of the individual and the self-government of lawyers are characteristic of the international legal system. In particular, the principles concerning the role of lawyers adopted by the UN General Assembly's Seventh Congress on the Prevention of Fraud and the Treatment of Offenders [1] have been identified as one of the prerequisites for the establishment of a democratic legal system.

In the Republic, great attention is paid to ensuring the legitimacy of the institute of advocacy, the impartiality of lawyers, strengthening the legal status of advocacy structures and the self-government of lawyers, creating the necessary legal basis for establishing the profession of lawyers.

Since the independence of our country, many changes have been made in the field of advocacy, and these reforms and changes can be divided into the following stages.

In particular:

First stage: this stage covers the period from 1990 to 1996;

Second stage: this stage covers the period from 1996 to 2007;

Thirst stage: this stage covers the period from 2008 to 2017;

Fourth stage: this stage covers the period from 2018 to the present day .

At the first stage, after the independence of Uzbekistan, he took up his duties until the adoption of the Statute on the Rights of Advocates. At this stage, the procedure for obtaining the status of an attorney was implemented in accordance with the requirements established by the Statute on the Rights of Advocates of the Uzbek SSR of the Presidium of the Supreme Soviet of the Uzbek SSR of November 12, 1980.

In accordance with the requirements of this Law, a candidate for advocacy must have a legal education and at least two years of work experience in legal practice. If the applicant for the status of an attorney-at-law does not have a work experience in the field of law, the candidate is required to have completed a traineeship in the interest of not more than six months to one year.

The second stage covers the period from the adoption of the Ordinance on the Rights of Advocates to the end of 2008. This stage is characterized by the strengthening of the requirements for qualification as an attorney and the fact that these requirements are clearly defined at the level of the institution.

As a result of these changes, the number of lawyers has almost tripled between 1996 and 2008, and the quality of legal assistance provided to both physical and legal persons has greatly improved.

The third stage: 2008-2017 years, this stage is approved by the Decree of the President of the Republic of Uzbekistan dated May 1, 2008 No PF-3993 [3].

This Law defines the following areas of reform of the Advocacy Institute:

- to strengthen the requirements for the scientific experience of candidates for the status of a lawyer;
- applying for a legal internship;
- internship at one of the legal institutions.

In addition, on the basis of the Association of Lawyers of Uzbekistan, the Chamber of Advocates of the Republic of Uzbekistan was established and all lawyers in our country were appointed to it as mandatory members. In our state there is a legal norm according to which it is not possible to become an attorney without being a member of the Chamber of Advocates, which ensures full membership of the Chamber of Advocates for all lawyers who have already been admitted to the bar.

At the same time, in connection with the implementation of the activities of the Bar Institute of the Republic of Uzbekistan, the law "On Amendments and Additions to the Constitution of the Republic of Uzbekistan" was adopted and the status of a lawyer was further strengthened.

It is worth noting that as a result of systematic reforms of the judicial branch in our country, the institution of advocacy is becoming more and more important in strengthening and facilitating the legal process.

In particular, the Decree of the President of the Republic of Uzbekistan Sh.Mirziyev dated October 21, 2016 No. PF-4850 "On strengthening measures to reform the judicial and legal system and to strengthen the legal rights and freedoms of the people" [4] has raised the quality of actions on the protection of human rights to a new level. At the same time, efforts were made to strengthen the system of legal assistance and services in our country, in particular, the institute of advocacy, and to strengthen the status of the lawyer and his role in ensuring the effective protection of the rights of the masses.

The fourth stage: covering the period from 2018 to the present day, was characterized by the adoption of the Decree of the President of the Republic of Uzbekistan No PF-5441 of May 12, 2018 [5], as a result of which there were significant changes in the requirements for obtaining the status of a lawyer.

In addition, the Decree of the President of the Republic of Uzbekistan Sh.M. Mirziyoev of February 7, 2017 on the Strategy of Actions for the Development and Promotion of the Republic of Uzbekistan [6] was adopted.

In the Strategy of actions for the development of the Republic of Uzbekistan in 2017-2021, five priority directions have been taken to ensure the systematic improvement of the quality of legal assistance and services in our country.

In addition, the decision of the President of the Republic of Uzbekistan dated January 28, 2022 "Development strategy for 2022-2026" Parman No. PF-60 was adopted.[7] In the 19th objective of the strategy: Transferring the Advocacy Institute to a full-fledged self-management system, strengthening the accountability of the management bodies of the Chamber of Advocates to the community of lawyers, attracting young qualified personnel to the system. Formation of modern and effective mechanisms and institutional foundations of the system of training of lawyers. Putting an end to excessive bureaucracy and red tape by introducing modern information technologies to advocacy activities, establishing electronic document exchange with courts, law enforcement agencies and other state bodies. Expanding the scope of providing free legal assistance, providing the services of notary and civil status deed writing agencies without hassle. A number of similar tasks were defined.

In addition, in accordance with the requirements of modern times, the new Constitution has been renamed as Advocacy and the legal status of lawyers has been regulated by the norms of the Constitution.

In accordance with Article 141 of the Constitution it was noted that "Advocacy is a profession that provides specialized legal assistance to both physical and legal persons".

Lawyers adhere to the principles of honesty, impartiality and self-discipline in their professional activities. Also, lawyers are bound only by the law during their profession. It was established that the activities of lawyers are carried out in accordance with the Constitution of the Republic of Uzbekistan and the Law "On Advocacy".

.Advocates in the course of advocacy adhere to the principle of impartiality. The meaning of this principle is that both lawyers and persons affected by advocacy are impartial in the course of their advocacy, they only adhere to the principle of impartiality, and no interference with their integrity is allowed. The principle of self-government of lawyers means that the institution of advocacy is impartial in its own integrity, and that the institution of advocacy adheres to the principle of self-government in the matter of enforcing the rights of individuals in the course of advocacy.

Article 142 of the Constitution provides that the lawyer shall not be interfered with in the exercise of his professional duties. The lawyer shall be provided with the conditions for the free and unhindered dissemination and consultation of information by the person under his protection. The lawyer, his reputation, his destiny and his professional duties shall be protected by the state.

In summary, the reforms implemented in our country to improve the system of protection of human rights to a new level, to protect the rights and interests of the person, to prosecute criminal cases at all levels, the lawyer's position will be considered as an important one. At present, the reforms implemented to modernize the state's bar association and its legal base are yielding a number of positive results.

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