

**IMPROVING THE ORGANIZATIONAL AND LEGAL FRAMEWORK OF  
PROSECUTORIAL OVERSIGHT OVER THE IMPLEMENTATION OF LAWS AIMED  
AT THE LEGAL PROTECTION OF MILITARY PERSONNEL OF THE ARMED  
FORCES**

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**Abstract**

This article examines the role and powers of prosecutorial bodies in maintaining a balance between national security, military discipline, and human rights within the Republic of Armenia. It analyzes the legal status of military personnel, the social guarantees provided to service members and their families, and the practical enforcement of these guarantees. Particular attention is paid to the role of prosecutorial oversight in monitoring the implementation of laws aimed at ensuring the legal protection of military personnel of the Armed Forces. The article draws on official reports and legislative sources to assess the effectiveness of prosecutorial mechanisms in safeguarding the rights and social welfare of military personnel.

**Keywords**

Republic of Armenia, state, law, prosecutor, court, military service, military personnel, social protection, prosecutorial oversight.

The legal and social protection of military personnel serving in a country's Armed Forces is not merely a matter of social justice; it constitutes an integral component of national security. In the military sphere, prosecutorial oversight serves as a vital institutional mechanism for ensuring the rule of law, preventing violations, and protecting the rights of service members.

A comparative analysis of foreign experience reveals that the Republic of Armenia approaches this issue at the level of state policy, with the rights and guarantees of military personnel enshrined in specialized legislation. Prosecutorial oversight over the practical enforcement of these guarantees has been established as a distinct legal institution. From this perspective, studying the Armenian experience holds both scholarly and practical significance.

The legal status of military personnel of the Armed Forces of the Republic of Armenia is defined by the Law "On Military Service and the Status of Military Personnel," adopted in 2017. This law recognizes military service as a form of public service and explicitly delineates the rights, obligations, and restrictions applicable to service members. Under the provisions of this law, a military service member is classified as a special legal subject under state protection, whose rights are guaranteed by law [1].

Armenian legislation also provides a comprehensive set of social guarantees for military personnel. Notably, planned amendments to the aforementioned law envisage an expansion of the housing provision program for service members. Under these amendments, if a military service member does not own housing or if their place of residence is located more than 60 kilometers from their duty station, the state is expected to either provide accommodation or

compensate rental costs. This provision is intended to serve as a legally guaranteed right to housing for military personnel [2].

Furthermore, Articles 66 through 71 of the Law stipulate various guarantees, including transportation-related expense coverage, educational support, pension and monthly allowance provisions, and—in the event of a service member’s death—full state coverage of funeral expenses, which is codified as a separate statutory provision.

Additionally, military personnel who sustain injuries during military operations or under other qualifying circumstances are entitled to receive medical treatment free of charge at state expense, both domestically and abroad.

According to official statements issued by the Ministry of Defense of the Republic of Armenia to the media, programs are being implemented to facilitate employment and social reintegration for military personnel who have acquired disabilities. These initiatives serve to encourage the professional and social participation of service members [3].

It should be emphasized that these guarantees are viewed as the state’s social obligation to those who serve in the Armed Forces and are instrumental in reinforcing their trust in military service.

Armenian legislation also recognizes the family members of military personnel as subjects of social protection. In the event of a service member’s death or disability, their family members are entitled to pensions, social benefits, and other support measures. These provisions have been adopted in recognition of the inherently high-risk nature of military service.

Prosecutorial oversight in the Republic of Armenia is exercised on the basis of the national Constitution [4] and the Law “On the Prosecutor’s Office.” [5]. The Prosecutor’s Office is tasked with ensuring compliance with the law by state bodies, including military structures. In cases where the rights of military personnel are violated, the prosecutor is authorized to take measures to remedy the violation, initiate criminal proceedings, or file a claim in court.

In practice, prosecutorial oversight is carried out through inspections of military units, review of complaints submitted by military personnel, and detection of abuses within the service. The official reports of the General Prosecutor’s Office of the Republic of Armenia confirm the practical effectiveness of prosecutorial oversight in the area of legal and social protection of military personnel through concrete data and measurable outcomes. Specifically, according to official reports on the activities of the Military Prosecutor’s Office under the General Prosecutor’s Office in 2025, systematic measures have been taken to detect violations of law in criminal cases involving military personnel, to restore their rights, and to hold responsible persons accountable. Data indicate that during 2025, more than one hundred criminal cases related to offenses committed in the military sphere were referred to courts, with convictions rendered in the majority of them. This demonstrates that prosecutorial oversight functions as a practical mechanism rather than a mere formality. In particular, in cases involving violations of the legal rights of military personnel, the prosecutorial authorities have taken concrete legal measures to address service conditions, material provision, compensation for damages sustained during service, and the annulment of unlawful decisions [6].

Moreover, the annual reports submitted by the General Prosecutor of the Republic of Armenia to the National Assembly specifically highlight that prosecutorial oversight extends beyond the criminal law sphere to encompass the social rights of Armed Forces personnel. In

particular, prosecutorial inspections have been conducted to monitor compliance with the social guarantees provided by law during the period of active service, including adherence to service conditions, state-mandated provisions, and compensation mechanisms. Where violations have been identified, prosecutorial submissions have been filed, resulting in the elimination of the violations and the restoration of service members' rights. These facts demonstrate the active participation of prosecutorial bodies in protecting the interests of military personnel and the establishment of effective oversight over the practical enforcement of the guarantees established by law [7].

The legal and social protection of military personnel of the Armed Forces of the Republic of Armenia is not confined to theoretical guarantees enshrined in legislative instruments, but is ensured in practice through the systematic oversight exercised by prosecutorial bodies. The statistical data presented in the official reports of the General Prosecutor's Office – including the number of cases referred to courts, the rights restored, and the violations remedied – provide a solid basis for evaluating prosecutorial oversight as a principal and effective institutional mechanism for protecting the rights of military personnel.

It should be noted that improving the organizational and legal framework of prosecutorial oversight over the implementation of laws aimed at the legal protection of military personnel in our country's Armed Forces remains a critical issue. Moving forward, it is essential to conduct regular studies of both national and foreign experience, carry out in-depth analyses, and develop concrete measures aimed at enhancing the efficiency and effectiveness of this oversight.

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