

**THE ROLE OF THE SUPERVISORY AUTHORITY IN ENSURING THE LEGALITY,  
VALIDITY, AND FAIRNESS OF THE COURT DECISION**

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**Abstract:** This article is devoted to the analysis of the role and significance of the revision instance in the practice of criminal proceedings in courts. It thoroughly examines the function of the revision procedure in ensuring that a court decision (judgment, ruling, decree) is not only legal, but also justified (fact-based) and fair (proportionality of punishment).

The powers and practical mechanisms of the supervisory authority in correcting judicial errors, eliminating procedural violations, and monitoring the correctness of proof will be indicated. Also, its place in the system of higher judicial control, current problems, and ways to increase its effectiveness are scientifically and practically substantiated. The article highlights the fundamental importance of the revision procedure in strengthening criminal procedural guarantees within the framework of judicial and legal reforms.

**Keywords:** review of the case, procedural guarantees, judicial errors, higher instance, claim against the verdict, judicial functions.

**INTRODUCTION.**

During the period of judicial and legal reforms, ensuring the protection of human rights, freedoms, and legitimate interests, and achieving a fair trial are among the priority tasks. The role of supervisory bodies in guaranteeing the quality of court decisions is invaluable. The main purpose of this article is to scientifically and practically study the supervisory function of the supervisory authority in ensuring the legality, validity, and fairness of court decisions (judgments, rulings, decrees) when considering criminal cases and to make proposals for increasing its effectiveness. The research methodology is based on the analysis of the norms of criminal procedure legislation, resolutions of the Plenum of the Supreme Court of the Republic of Uzbekistan, and judicial practice.

**MATERIALS AND METHODS.**

In preparing this scientific article, methods such as historical, systemic-structural, logical, inductive, comprehensive research, and statistical data analysis were used.

**RESULTS.**

The supervisory authority verifies the presence of procedural violations (for example, violation of the accused's right to defense, collection of evidence contrary to the rules of proof) and material violations (incorrect qualification of the article of the Criminal Code).

Its decisions not only correct the errors of the lower instance, but also ensure a unified interpretation of the law in judicial practice. The supervisory authority, having studied the case materials and the totality of evidence, monitors the compliance of the court's conclusions with the factual circumstances of the case. considers issues of reliability, admissibility, and sufficiency of evidence, and has the right to change or overturn the judgment if they are incorrectly assessed.

The revision instance is considered as a high-level guarantor of ensuring legality in judicial proceedings. Unlike the appellate and cassation procedure, it is determined by the fact that it is considered by the elite of high-ranking judges during the review of judicial acts that have entered into legal force. However, regarding powers, the powers of higher courts appear almost identical.

**DISCUSSION.**

In the course of studying judicial and investigative practice, the supervisory authority examines the case documents, the totality of evidence, and determines whether the court's conclusions correspond to the actual circumstances of the case. An important function of the audit is to determine whether the imposed punishment is unjust (for example, too lenient or too harsh).[1] Even if the punishment is within the limits established by law and does not correspond to the degree of social danger of the crime and the personality of the perpetrator, it may decide on its mitigation or aggravation. This shows that the audit is a controlling force in ensuring the principles of humanity and justice. Although it does not actually have a supervisory function, such a meaning can be understood from the fact that it can overturn or change the decisions of pre-audit instances[2]. The supervisory authority is intended to review court decisions (judgments, rulings, decrees) that have entered into legal force. This is practically the last opportunity to correct serious errors that were overlooked in previous appellate or cassation instances, but undermined the legality of the court decision.

The main task of the audit is to verify that the court decision meets the following three main requirements:

*legality - have procedural and substantive laws been applied correctly?*

*validity - do the court's conclusions fully correspond to the case materials and evidence?*

*fairness - is the punishment proportionate to the severity of the crime and the personality of the perpetrator? (Isn't the punishment too severe or too light?)*

Decisions made in the supervisory procedure, especially by higher judicial instances, are important for lower courts, combining practice[3]. They ensure the uniform application of legal norms in different territories. The role of the supervisory authority in ensuring the legality, validity, and fairness of the court decision is crucial. It is a necessary mechanism not only for correcting violations of the law, but also for guaranteeing the protection of human rights at the highest level. The effectiveness of the revision procedure strengthens public confidence in the transparency and fairness of the judicial system[4]. By continuously analyzing and improving audit practice, it is possible to further improve the quality of justice in Uzbekistan.

The main tasks of the audit authority are:

*identify errors made by the lower court;*

*elimination of violations of the law in a criminal case;*

*full protection of the rights and freedoms of the individual.*

From this point of view, the consideration of the criminal case on the merits, and not only the procedural aspects, is considered important for the establishment of justice by the investigating authority[5].

In many cases, judgments issued by lower courts may be unfair for reasons such as incorrect assessment, insufficient analysis of evidence, or incorrect legal qualification.

Consideration of the content means not only procedural errors, but also penetration into the essence of the case through a deep analysis of the evidence collected in the case, witness testimony, expert opinions, and other facts[6].

Consideration of the content is especially important in the following cases:

*if an unjust charge has been filed against the person;*

*the fact of the commission of the crime corresponds to the actual circumstances of the case;*

*if there was an injustice in the imposition of punishment.*

This requires that the audit authority act not only as a means of formal control, but also as a means of ensuring substantial (content) justice.

**Legal significance** is that this approach serves as an important guarantee in the protection of citizens' constitutional rights. The principles enshrined in criminal procedure legislation - presumption of innocence, fair trial, legality of court decisions - are implemented in practice through consideration of the merits[7].

**Practical significance** lies in the fact that higher judicial instances, by eliminating the mistakes of lower courts, increase public trust in the judicial system, ensure the stability of judicial and legal practice, and serve the imposition of a just punishment[8].

Consideration of criminal cases on the merits by the supervisory authority is an integral part of judicial justice in a modern rule of law state. This approach allows not only to comply with procedural norms, but also to penetrate the essence of the case, analyze the evidence, and fairly decide the fate of the individual.

Therefore, defining the principle of **substantial justice** as the main criterion in the activities of the audit body is a logical continuation of legal reforms. This will serve to ensure human rights and further improve the judicial and legal system in Uzbekistan. If the supervisory authority does not study the essence of the case, focusing only on procedural aspects, incorrect judgments may remain in force, or they may be considered only externally, and important evidence may be ignored. This weakens trust in court decisions and undermines the positive perception of the supremacy of the judicial system. Therefore, the issuance of a substantive decision by the judicial review instance is not only a technical issue, but also a factor determining the authority of the judiciary in society.

After the lower courts issue a decision on the criminal case, it seems that the trial is over. However, if this decision is appealed, the supervisory authority will review the case - giving citizens a second chance. Especially in cases of incorrect accusations against a person, insufficiently proven crimes, or incorrect qualification, this circumstance can be established not only through a thorough study of procedural aspects, but also the content of the case.

As repeatedly emphasized in the decisions of the European Court of Human Rights, a court decision must be "reasonable and just," and not only "on a legal basis"[9]. This requires the audit authority to substantially assess the case. For example, "Delcourt v. Belgium" (1970), "*Justice must not only be done; it must also be seen to be done*" - that is, justice should be manifested not only through a decision, but also through penetration into the essence of decision-making. Taking these criteria into account, the judicial system of Uzbekistan should also deepen the principle of consideration of the case on the merits in the supervisory instance.

By studying the merits of the case, the supervisory authority provides guidance to lower courts in practice, that is, it forms a unified approach in judicial practice.

**And this is:**

*ensures stability in making decisions on future work;*

*reduces the occurrence of differences in decisions between different courts;*

*increases citizens' trust in the judicial system.*

However, in the current Criminal Procedure Code, the concept of "consideration of the case on the merits" by the supervisory authority is not clearly and broadly defined, and the limits and criteria for considering the case on the merits are not defined.

**CONCLUSION.**

It is necessary to legislatively enshrine the obligation of the supervisory authority to consider the case not only on procedural grounds, but also on the merits. It is necessary to give a clear definition of the concept of "content consideration." The Supreme Court should develop methodological guidelines that define a unified approach to the consideration of the case on the

merits. In practice, however, there is no such methodology. The decisions of the supervisory authority should be posted in open electronic databases, and in practice, they are practically impossible to find on (public.sud.uz). Conduct statistical and qualitative analysis of sentences issued in criminal cases (for example, how many cases were dismissed, reviewed, sentences were changed, etc.). It is necessary to give lawyers a broader right to introduce new evidence in the revision instance and to re-analyze the case on the merits[10]. It is necessary to make the active participation of prosecutors in every case mandatory and increase the effectiveness of such practice as their assessment from the point of view of fairness. Studying the functioning of appellate/cassation instances in the judicial systems of countries such as the European Court of Human Rights, the USA, and Germany, and implementing suitable options for us. By introducing an additional article to the Criminal Procedure Code, it is necessary to specify the "Procedure for Considering a Case on the Matter in the Audit Instance." There is no systematic monitoring of the indicators of substantive review of cases by audit bodies.

The legality, validity, and fairness of a court decision is the foundation of a state governed by the rule of law and justice. The audit authority serves as the main mechanism ensuring the highest level of protection of these three principles (lawful, reasonable, and just). Its effective activity plays a decisive role in strengthening public trust in the judicial system. By improving the audit procedure, it is possible to further improve the quality of justice.

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