

Some Aspects of the Distribution of Responsibilities of the Prosecutor's Office for the Supervision of the Implementation of Land Legislation

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Abstract: This article analyzes the scope of activities of prosecutorial authorities responsible for overseeing the enforcement of land legislation. It examines certain aspects of the division of responsibilities between these bodies, issues related to the regulation of land relations in foreign countries, the tasks and powers of foreign prosecution services in the land sector, and offers proposals for improving relevant legislation. In particular, the article discusses the organizational structure of relevant departments within the General Prosecutor's Office and regional prosecutor's offices tasked with supervising land law enforcement, as well as ways to improve their performance. It also addresses the role of specialized environmental prosecutor's offices and analyzes cases in which supervisory functions over land legislation enforcement were assigned. Furthermore, the article presents statistical data related to the issue, scientific perspectives from researchers, and expert opinions, while also considering theoretical aspects of the subject under study. Based on an examination of international experience in the enforcement of land-use legislation—particularly in Western countries—it is concluded that the primary role of prosecution services there lies in participating in judicial proceedings and implementing state policy in combating crime, whereas in CIS countries, prosecutorial supervision remains the dominant function.

Keywords: prosecutor's office, legislation, prosecutor's supervision, distribution of responsibilities, land, land reform, agricultural land, irrigated land, territorial and specialized prosecutor's office, foreign countries, unauthorized seizure of land, illegal construction, responsibility

INTRODUCTION

In our Republic, the protection of sacred lands and the rational use of every parcel of territory are directly linked to issues of national security and stability, as well as to ensuring the livelihood, well-being, and prosperity of the population. The prosperous life of the people is inseparably connected to the careful and judicious management of this invaluable resource — the land. Currently, arable land accounts for only 9.7% (4.3 million hectares) of the Republic's total land area (44.8 million hectares). Of this amount, merely 3.2 million hectares are classified as irrigated land. Due to irresponsible attitudes toward land use, unauthorized occupation, and illegal activities, the area of irrigated land has been decreasing annually. As a result of population growth, the reclassification of agricultural land into other categories, and global climate change, the per capita area of irrigated land has decreased by 24% over the past 15 years, from 2,300 square meters to 1,600 square meters. For instance, today in the Andijan region, there are only 700 square meters of arable land per resident. Under such circumstances, over the past 30 years, approximately 200,000 hectares of irrigated land have been lost due to unauthorized use and abuses, having been reallocated to other land categories. Notably, between 2017 and 2022 alone, the area of irrigated land decreased by 31,500 hectares [1].

At the current stage of Uzbekistan's new development, significant reforms are being

implemented at the initiative of the President of the Republic of Uzbekistan, Shavkat Mirziyoyev, aimed at the efficient and rational use of land resources. President Shavkat Mirziyoyev emphasized: "Every piece of land is the property of the state and, therefore, an invaluable asset of our people. No one has the right to use it illegally or arbitrarily" [2].

Currently, as part of the ongoing reforms toward building a New Uzbekistan, numerous tasks are assigned to the prosecutorial bodies, related to the protection of land resources, the promotion of their rational use, and the enforcement of the legally established procedures for land utilization. In particular, in accordance with the Presidential Decree of the Republic of Uzbekistan No. PF-3406 dated March 11, 2004, "On Additional Measures to Ensure the Enforcement of Laws Aimed at Agricultural Reform," departments responsible for ensuring legality in the agricultural sector and protecting the rights of economic entities were established within the General Prosecutor's Office, the Prosecutor's Office of the Republic of Karakalpakstan, and regional prosecutor's offices.

Later, in accordance with Presidential Decree No. PF-4636 dated July 24, 2014, "On Measures for the Further Improvement of the System for Ensuring the Enforcement of Legislation," the relevant division within the General Prosecutor's Office was reorganized into the Department for Supervision over the Enforcement of Legislation

in the Agricultural Sector. Similarly, the relevant divisions in the Prosecutor's Office of the Republic of Karakalpakstan and regional prosecutor's offices were renamed as the Departments for Supervision over the Enforcement of Legislation in the Agricultural Sector.

The continuation of reforms aimed at ensuring legality in land use and protection, as well as at strengthening prosecutorial supervision in this area, was consolidated by the Presidential Decree No. 138 dated February 21, 2022, "On Measures to Enhance the Effectiveness of State Control over the Use of Land Resources." Pursuant to this Decree, a dedicated Department for the Prevention of Land Resource Misappropriation was established within the General Prosecutor's Office. Corresponding divisions — the Departments for the Prevention of Land Resource Misappropriation — were also created within the Prosecutor's Office of the Republic of Karakalpakstan, regional prosecutor's offices, and the Tashkent City Prosecutor's Office, with a total staffing of 56 positions.

In the course of studying legal sources related to this topic, it was established that there is a lack of scientific research aimed at the comprehensive oversight of land law enforcement. It was also revealed that no modern and complete methodology has been developed to ensure thorough supervision over the implementation of land legislation and the identification of violations in the field of land relations. Moreover, within the relevant structures, as well as in territorial and specialized prosecutor's offices (equated to them), certain deficiencies exist in the proper allocation of tasks related to prosecutorial supervision over the enforcement of land legislation. In Uzbekistan, no scientific research in this particular field has been conducted at all. Among foreign countries, only in the Russian Federation have scientific studies been carried out on prosecutorial supervision of land law enforcement, notably by Y.G.Chervyakova, T.B.Ashitkova, and O.V.Kalugina.

Overall, the relevance of studying this issue is directly linked to the following factors:

- Violations of land legislation demonstrate very high incidence rates. Unfortunately, such offenses are committed not only by land users but also by employees of local khokimiyats (administrative bodies) and agencies directly responsible for land use control;
- Due to the unlawful use of land, particularly agricultural and irrigated lands, and the misuse

of land for purposes other than those intended, the area of available land is significantly decreasing;

- Over the past three years, prosecutorial bodies have been assigned numerous tasks aimed at ensuring the targeted and rational use of land resources, and this direction remains one of the principal areas of prosecutorial supervision;
- As approaches to the subject and scope of prosecutorial supervision over law enforcement evolve, there is an urgent need to develop new theoretical frameworks and recommendations for supervision activities in this field, as well as to implement a unified practice of oversight.

MATERIALS AND METHODS

In the course of the research, the scientific and theoretical foundations of prosecutorial supervision over the enforcement of land legislation in the Republic of Uzbekistan were studied. Particular attention was given to the organizational features of prosecutorial supervision regarding the implementation of land regulations, as well as to the identification, generalization, and systematization of shortcomings in the application of prosecutorial oversight measures by the prosecutorial authorities.

Furthermore, a comparative legal study was conducted on the characteristics of land use and protection supervision in foreign countries, with the aim of adopting best practices for implementation in Uzbekistan. Based on the findings, the author developed proposals and put forward initiatives for legislative amendments.

The research employed a variety of methods, including system-structural analysis, comparative legal analysis, logical reasoning, comprehensive study of scientific sources, induction and deduction, analysis of empirical materials and statistical data, interpretation of legislative acts, observation, specialized scientific methods, and the study of law enforcement practices.

Research Results

From the very first days of the Republic of Uzbekistan's independence, special attention was given to the establishment and development of the national prosecutorial system. In particular, pursuant to the Presidential Decree of the Republic of Uzbekistan dated January 8, 1992, No. PF-313 "On the Prosecutor's Office of the Republic of Uzbekistan," the Prosecutor's Office of the Uzbek

SSR, which had previously been part of the system of the former Soviet Union, was transformed into the Prosecutor's Office of the Republic of Uzbekistan.

Subsequently, on January 24, 1992, the Cabinet of Ministers of the Republic of Uzbekistan adopted Resolution No. 313 "On Issues of Organizing the Activities of the Prosecutor's Offices of the Republic of Uzbekistan," which defined the main principles of prosecutorial supervision.

The current structure of prosecutorial bodies, their areas of activity, and other related issues are reflected in the Law of the Republic of Uzbekistan "On the Prosecutor's Office," which was adopted in the early years of independence and later revised and approved in a new edition on August 29, 2001.

The powers of prosecutorial bodies are exercised based on the principle of centralization, depending on the tasks assigned to territorial prosecutor's offices, specialized prosecutor's offices, and sectoral divisions. In this regard, it is considered expedient to clearly define their competencies when exercising supervision over the enforcement of land legislation. According to O.Kalugin, the effectiveness of prosecutorial supervision over the enforcement of legislation, including laws governing land use and protection, largely depends on how well the activities of the prosecutor are organized within this sphere of supervision [3].

Article 10 of the Law of the Republic of Uzbekistan "On the Prosecutor's Office" specifies that the system of prosecutorial bodies includes: the General Prosecutor's Office of the Republic of Uzbekistan, the Prosecutor's Office of the Republic of Karakalpakstan, regional and Tashkent City prosecutor's offices, district and city prosecutor's offices, the Military Prosecutor's Office of the Republic of Uzbekistan (equated to regional prosecutor's offices), the Transport Prosecutor's Office of the Republic of Uzbekistan, as well as territorial military, transport, and specialized prosecutor's offices equated to district prosecutor's offices.

Additionally, under the General Prosecutor's Office of the Republic of Uzbekistan operate the Department for Combating Economic Crimes and the Bureau of Compulsory Enforcement, along with their respective territorial divisions.

Within the system of prosecutorial bodies of the Republic of Uzbekistan, the supervision over land

law enforcement is carried out through two structural divisions of the General Prosecutor's Office, the Prosecutor's Office of the Republic of Karakalpakstan, the regional, and the Tashkent City prosecutor's offices.

Specifically, according to paragraph 1 of the Order of the General Prosecutor of the Republic of Uzbekistan dated November 7, 2017, No. 160 "On Further Increasing the Effectiveness of Supervision over the Enforcement of Legislation in the Agricultural Sector," the supervision over the targeted and rational use of agricultural lands is entrusted to the Main Directorate for the Control over the Enforcement of Legislation on the Development of the Agrarian and Food Sector under the General Prosecutor's Office. In turn, the supervision over the targeted and rational use of non-agricultural lands, as well as over compliance with legislation in the process of providing cadastral services, is assigned to the Main Directorate for the Control over the Enforcement of Legislation in the Economic Sector and its territorial divisions, in accordance with the Order of the General Prosecutor of the Republic of Uzbekistan dated November 24, 2017, No. 166 "On Further Improvement of Prosecutorial Supervision over the Enforcement of Social and Economic Legislation" [4].

Before addressing the issues related to the distribution of responsibilities among the aforementioned divisions, it is necessary to examine their formation, as well as the tasks assigned to them.

In particular, according to the Presidential Decree of the Republic of Uzbekistan dated March 11, 2004, No. PF-3406 "On Additional Measures to Ensure the Enforcement of Laws Aimed at Implementing Reforms in Agriculture," the main tasks of the divisions for ensuring legality in the agricultural sector and protecting the rights of business entities were defined as follows:

- monitoring the timely and complete enforcement of laws in the agricultural sector, as well as Presidential decrees and Government resolutions;
- conducting regular monitoring of areas sown with key agricultural crops (cotton and wheat), as well as performing selective inspections to verify the compliance of sown areas by agricultural producers, including farmers and shirkats (collective farms), with the contractual obligations concluded and approved at the district and regional levels;

- implementing a set of measures to prevent violations of legislation and regulatory acts established during the allocation of land to farmers and dehqan (smallholder) farms, and preventing abuse of official position by responsible persons, as well as manifestations of nepotism and personal favoritism;
- protecting the rights and interests of farming and dehqan enterprises that purposefully and carefully use land resources, ensuring the preservation of soil fertility;
- ensuring strict targeted use of land, preventing the withdrawal of irrigated agricultural lands from circulation, and maintaining continuous control over compliance with contractual obligations for the production of agricultural products;
- preventing offenses in the agricultural sector, including the early detection and suppression of legal violations.

According to paragraph 4 of the Presidential Resolution of the Republic of Uzbekistan dated March 18, 2020, No. PP-4643 "On Measures for the Further Improvement of the Management System in the Agrarian and Food Sectors," the Directorate for Supervision over the Enforcement of Legislation in the Agricultural Sector under the General Prosecutor's Office of the Republic of Uzbekistan was renamed the Directorate for Supervision over the Enforcement of Legislation in the Development of the Agrarian and Food Sectors.

Similarly, the departments for supervision over the enforcement of legislation in the agricultural sector under the Prosecutor's Offices of the Republic of Karakalpakstan and the regions were renamed departments for supervision over the enforcement of legislation in the development of the agrarian and food sectors, and an additional 145 staffing positions were allocated for these departments.

Furthermore, under the same resolution, new positions were introduced within the structure of the General Prosecutor's Office of the Republic of Uzbekistan, including the position of Deputy Prosecutor General of the Republic of Uzbekistan responsible for overseeing compliance with legislation and the enforcement of acts in the field of agriculture and food security, as well as the positions of Deputy Prosecutors of the Republic of Karakalpakstan and the regions, and a Senior Assistant to the Transport Prosecutor of the Republic of Uzbekistan.

According to paragraph 7 of the Regulations "On the Directorate for Supervision over the Enforcement of Legislation in the Development of the Agrarian and Food Sectors of the General Prosecutor's Office of the Republic of Uzbekistan," approved by the Order of the Prosecutor General of the Republic of Uzbekistan dated May 25, 2021, No. 233, the main tasks of the Directorate are defined as follows:

- ensuring strict enforcement of legislative acts related to the development of the agrarian and food sectors, decisions of the Collegium of the General Prosecutor's Office, work plans, orders, directives, and instructions of the Prosecutor General;
- taking measures to ensure the targeted use of land and water resources and preventing the illegal withdrawal of irrigated land plots from agricultural circulation;
- supervising compliance with legislative requirements during the allocation of land for agricultural clusters, cooperatives, farms, and other enterprises, as well as ensuring the legality, validity, and fairness of agricultural crop placement on land plots;
- promoting the rational use of natural resources in the agrarian and food sectors, the widespread introduction of water-saving technologies, and the reintegration of previously abandoned lands into agricultural use;
- maintaining systematic control over the enforcement of legislation governing the use of lands from the forest fund and forest resources, among other tasks.

Of particular interest is the fact that, although the main legal relations concerning land predominantly pertain to agricultural lands, the supervision over the activities of the Cadastre Agency under the State Tax Committee, as well as its land-related activities, has been assigned to the divisions of the General Prosecutor's Office and territorial prosecutor's offices responsible for overseeing the enforcement of legislation in the economic sector.

In this regard, during the course of this scientific study, a recommendation was developed proposing the establishment of specialized divisions within the General Prosecutor's Office and regional prosecutor's offices for the supervision of land legislation enforcement, covering all categories of land listed in Article 8 of the Land Code. This recommendation was reflected in the adoption of

the Resolution of the President of the Republic of Uzbekistan dated February 21, 2022, No. PP-138.

Moreover, within the system of the prosecution authorities of the Republic of Uzbekistan, specialized prosecutor's offices have also been established, tasked with exercising control over the enforcement of land legislation.

In particular, at the time of the initial adoption of the Law of the Republic of Uzbekistan "On the Prosecutor's Office" on December 8, 1992, the structure of the prosecution bodies also provided for the operation of environmental prosecutor's offices, which were equated to district prosecutor's offices.

According to the Regulations "On the Environmental Prosecutor's Office for the Protection of the Aral Sea," approved by the Prosecutor of the Republic of Uzbekistan on October 11, 1993, the main tasks of the Aral Environmental Prosecutor's Office were defined as supervising compliance with legislation on the protection of atmospheric air, land and subsoil, wildlife, nature reserves, sanctuaries, forests and flora, natural monuments, as well as enforcing laws regulating the disposal and neutralization of industrial and household waste produced by enterprises and organizations [5].

This prosecutor's office, together with the territorial prosecutor's offices of the Aral Sea region, also exercised supervision over the enforcement of land legislation. In accordance with the Presidential Decree of the Republic of Uzbekistan dated August 27, 2020, No. UP-6053 "On Measures for the Accelerated Development of Tourism in the Bostanlyk District through the Introduction of a Special Management Procedure," a specialized prosecutor's office for the supervision of environmental protection legislation and the elimination of unlawful land use was established in the Tashkent Region. It was also stipulated that the specialized prosecutor's office would be located within the territory of the Bostanlyk District [6].

According to the order of the Prosecutor General dated October 14, 2020, No. 1152, the main tasks of the Tashkent Environmental Prosecutor's Office were defined as follows:

- Exercising supervision over the strict enforcement of environmental protection legislation, the rational use of land and natural resources, improving the ecological condition

of the territory, and developing ecotourism within the Tashkent Region;

- Monitoring compliance with legislation on the protection and use of land, subsoil, water resources, forests, protected natural areas, wildlife, and flora;
- Taking measures to prevent the unauthorized seizure of land plots and illegal construction of facilities, and ensuring strict adherence to legislation in the use of plots belonging to the forest fund;
- Monitoring the use of land plots within the free tourist zone "Charvak," the organization of green zones, and the observance of restrictions on economic activities harmful to nature, including livestock grazing, agriculture, and the construction of new industrial and service facilities in designated prohibited areas;
- Ensuring the implementation of activities aimed at the timely detection and prevention of offenses in the field of environmental protection and the rational use of land and natural resources, eliminating their consequences, as well as addressing the causes and conditions contributing to their commission;
- Conducting preliminary inspections based on applications, reports, and information on crimes related to environmental protection and the use of natural resources, carrying out pre-investigation checks on initiated criminal cases, and fulfilling other tasks.

Furthermore, based on the Presidential Resolution of the Republic of Uzbekistan dated April 27, 2022, No. PQ-226 "On Additional Measures to Ensure the Enforcement of Environmental Protection Legislation in the Jizzakh Region," a specialized prosecutor's office was established in the Zomin District, comprising eight staff positions, tasked with overseeing the enforcement of environmental protection legislation and the prevention of unlawful land use. According to paragraph 2 of this Resolution, the main areas of responsibility assigned to the specialized prosecutor's office include: – Establishing continuous supervision over the enforcement of legislative acts aimed at the rational use and protection of lands designated for environmental protection, health improvement, and recreational purposes, as well as lands of the forest and water fund, including the lands of the Zomin National Nature Park and the Zomin State Reserve, located

within the Zomin and Bakhmal districts of the Jizzakh Region;

- Continuously taking measures to prevent unauthorized occupation of lands designated for environmental protection, health improvement, and recreational purposes in the specified districts, as well as preventing illegal construction on these lands;
- Conducting regular monitoring to ensure the targeted and efficient use of lands within the forest and water funds of the districts;
- Exercising strict prosecutorial oversight over compliance with legislation on the protection of nature, subsoil, and flora and fauna within the aforementioned territories;
- Taking measures for the early detection and prevention of offenses in this sphere.

For the implementation of this Resolution, Order No. 707 of the Prosecutor General of the Republic of Uzbekistan, dated April 30, 2022, was adopted, which, based on the aforementioned Presidential Resolution, defined the main tasks of the Zomin Environmental Prosecutor's Office.

ANALYSIS OF RESEARCH RESULTS

It should be noted that currently there is no clear delineation of powers between the territorial prosecutor's offices and the aforementioned specialized prosecutor's offices, resulting in instances of overlapping activities and insufficient specification of prosecutorial duties in this area. This, in turn, may lead to violations of the requirements established by Article 45 of the Law of the Republic of Uzbekistan "On the Prosecutor's Office," which stipulates that the primary criteria for assessing the performance of prosecutors are the state of lawfulness, the protection of citizens' rights and freedoms, and the safeguarding of the lawful interests of society and the state.

Under the current conditions of ensuring legality in the rational use of land, territorial prosecutors are authorized to accept and review relevant appeals and reports, conduct inspections on the targeted use of land plots, and examine compliance with legislation by bodies and organizations whose activities are related to this field. Based on the results of these inspections, prosecutors take appropriate prosecutorial response measures.

However, assigning similar tasks to specialized prosecutor's offices operating in specific territories eventually leads to duplication of functions, overlapping of authorities, and various forms of

institutional misunderstandings. Such circumstances negatively affect the effectiveness of prosecutorial supervision.

As researcher O.Kalugin rightly notes, although land is considered a natural resource and control over compliance with land legislation should fully fall within the area of responsibility of environmental prosecutor's offices, in practice, the main burden in this regard is borne by territorial prosecutor's offices [7]. This imbalance necessitates a revision of the current approaches to the distribution of competences among prosecutorial bodies.

Overall, specialized prosecutor's offices today do not bear full and unconditional responsibility for the outcomes related to the execution of their assigned tasks. In this regard, it appears advisable to clearly define the functional responsibilities of specialized prosecutor's offices. This, in turn, would allow for the removal of their supervisory objects and subjects from the jurisdiction of territorial prosecutor's offices, thereby eliminating the duplication of powers, enhancing the effectiveness of prosecutorial oversight, and strengthening the rule of law in the field of land use and natural resource management. In our view, it is appropriate to assign the Tashkent Specialized Prosecutor's Office the responsibility of overseeing compliance with land use legislation within the territory of the "Charvak Economic Zone," while the Zomin Specialized Prosecutor's Office should be tasked with similar oversight over protected natural territories and forestry enterprises in Jizzakh Region (excluding the coastal areas of the Aydar-Arnasay lake system).

The implementation of this proposal would remove these objects from the jurisdiction of district prosecutor's offices in terms of supervising compliance with land legislation. This, in turn, would contribute to eliminating duplication of functions, clearly delineating the responsibilities among prosecutorial bodies, and ensuring more effective and specialized oversight of the rational use of land resources and compliance with environmental protection requirements.

International Experience

According to research, 78% of the world's land resources (excluding Antarctica) are subject to certain natural constraints for agricultural

development. Only the remaining 22% of land is available for effective use, with 13% characterized by low, 6% by medium, and only 3% by high natural productivity. Experts estimate that industrial lands account for approximately 6–7% of the global land fund. The proportion of land used for industrial needs varies by country: in the United States — 0.8%, in China — 3%, in France — 3.4%, in Germany — 8%, in the United Kingdom — 8.5%, in Japan — 10.4%, and in Ukraine — 2.8% [8].

In economically developed and industrially advanced countries, the management of land resources, as well as issues of their rational use and protection, prioritize agricultural lands, particularly the most productive categories.

Countries with developed market economies and stable systems of legal regulation of land relations include the United States, the United Kingdom, the Netherlands, Italy, France, Spain, Germany, and others. In these states, the institution of land ownership plays a central role within land law and significantly influences the development of other legal institutions, which is reflected in their land legislation and scholarly literature on land law.

Land reforms conducted in developed countries can be conditionally divided into four main groups depending on their form and specific implementation.

For Eastern European countries—Bulgaria, Hungary, Germany, Poland, Romania, Slovakia, the Czech Republic, and the former Yugoslavia—the main directions of land reforms were the withdrawal of land from state ownership and its privatization, restructuring of state and cooperative agricultural economies, and the establishment of peasant (farmer) holdings.

Land and agrarian reforms in China and other Southeast Asian countries have their own characteristics. In particular, in China, the system of collectivization based on egalitarian principles within people's communes was replaced by the household contract system. This system involved the distribution of land among peasant households, providing millions of rural residents with employment opportunities and contributing significantly to the growth of industrial production as part of so-called "rural industrialization."

In Latin American countries, agricultural and land reforms were also notable, with a focus on

abandoning collective ownership in favor of private land ownership.

In African states, the regulation of land relations has its own specificity: due to a long colonial history, the legislation of these countries represents a mixture of norms from developed states and traditional customary law of local peoples. Today, many African countries are also undergoing processes of land privatization.

It should be noted that the tasks of prosecutor's offices in the area of land use and protection are built based on the nature of these legal relations and are determined by the legal status of prosecutorial bodies in each particular country.

It is well known that in international practice, prosecutorial bodies can be conditionally divided into two models, depending on the scope of their activities and tasks performed. The affiliation of a prosecutor's office with a particular model is directly linked to the legal system and state structure of the respective country. Under the first model, prosecutorial bodies primarily function as institutions responsible for criminal prosecution and the maintenance of public prosecution. Under the second model, prosecutors act as bodies exercising supervision over compliance with legislation.

In this regard, many scholars have expressed their views. In particular, according to Yu.Knyazeva, "In Western countries, the prosecution service operates as an accusatory body and does not perform 'general supervision'; moreover, in most states, the prosecutor's office is not an independent system but part of either the judicial or executive branches" [9]. Similar views were expressed by S.Abdurakhmanova and A.Kanatov [10], who noted that prosecutorial bodies operate within the executive branch (e.g., the USA, Estonia) or the judiciary (e.g., Spain, Latvia, Georgia). F.Malikov and B.Boymatov emphasized that "the main task of prosecutorial bodies in the USA, France, Germany, and Italy is primarily to carry out criminal prosecution" [11]. M.Zaprudskaya further stated: "The first model of prosecutorial activity provides for the abolition of the 'general supervision' function (i.e., supervision over compliance with legislation). In Azerbaijan, Armenia, Georgia, and Moldova, prosecutorial bodies function under the first model, and as a result, the function of 'general supervision' is absent. At the same time, in Russia, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, and

Turkmenistan, the function of supervision over compliance with legislation remains the primary function of the prosecutor's office" [12].

An analysis of legal literature indicates that there are differing viewpoints among scholars and practitioners on this issue. In particular, Kh.Zeytun [13] puts forward the idea that "prosecutorial authority must be independent and objective. Incorporating prosecutorial bodies into the executive branch may hinder their ability to operate impartially." We fully support this author's position.

The activities of prosecutorial bodies, their directions, and tasks are directly related to the role of the prosecutor's office within the system of state bodies. For instance, A.Allamuratov classifies countries into four groups based on the legal status of the prosecution service within the state system: states where the prosecutor's office is an independent body, and those where it is part of the executive branch, the judiciary, or the Ministry of Justice [14]. A similar classification is provided in the research of Z.Ibragimov [15] and D.Khamdamova [16].

The study of international experience shows that prosecutorial functions vary considerably across different countries. For example, the activities of the U.S. prosecution service are primarily aimed at combating and preventing crime [9, 17]. The main task of prosecutors (Attorneys) is to support public prosecution in court [14]. In Germany, prosecutorial bodies conduct investigations of certain criminal cases in cooperation with the police, and the prosecutor's office operates within the judicial system. In England and Wales, the Crown Prosecution Service has been established, with its primary function being the prosecution of criminal cases investigated by the police [9].

According to Japanese legislation, prosecutors are responsible for initiating and terminating criminal proceedings, conducting preliminary investigations, overseeing the courts' compliance with relevant laws, and supervising the enforcement of sentences [18]. In most Western countries, prosecutors participate in the trial of criminal and civil cases, protect the rights and interests of citizens, and play an important role in the implementation of state policy in the field of criminal law.

For instance, under Presidential Decree No. 1172 of January 4, 2019, special departments and regional subdivisions for the supervision of land

legislation were established within the General Prosecutor's Office of the Republic of Tajikistan.

Similarly, according to Spain's Law No. 50/1981 of December 30, 1981 "On the Prosecution Service," special prosecutors were introduced within the Spanish Prosecutor General's Office to address issues related to land use, the protection of historical heritage, and the prevention of economic and forest fires. Their main tasks include investigating violations in the use of land, protection of historical sites, nature, animals, and plants, and participating in court proceedings on such matters [19].

The analysis of international experience shows that with the gradual privatization of land, state control over the targeted and rational use of land tends to diminish, and issues related to land use are predominantly resolved within the framework of civil law relations.

In our view, it would also be advisable for the Republic of Uzbekistan to implement full privatization of land plots, resolve land use disputes exclusively through judicial procedures, and primarily address violations of land legislation through financial measures. Undoubtedly, the ongoing reforms will eventually lead to the introduction of such practices in Uzbekistan.

However, under current conditions, given that the share of land resources, especially agricultural land, in our country remains limited, and considering that land plots and land use conditions have not yet been zoned in a manner similar to the United States and European countries, and real ownership rights have not been fully established, it is necessary to continue improving prosecutorial oversight in this field to ensure land protection.

Based on the analysis of international experience regarding the enforcement of land legislation by prosecutorial bodies, it can be concluded that in Western countries, prosecutorial activity is primarily focused on participation in judicial proceedings and the implementation of state criminal policy, whereas the function of prosecutorial supervision over law enforcement remains a leading function in most CIS countries.

In economically developed countries (such as the United States, Germany, France, Italy, and England), prosecutorial bodies do not perform the function of supervising the enforcement of laws. The absence of a need for prosecutorial oversight is historically rooted in the established system of

statehood and law, the high level of citizens' respect for the law, strong public trust in the judiciary, the presence of a robust legal profession and legal services system, as well as effective public control mechanisms.

Nevertheless, in certain economically developed countries, the need for prosecutorial activity in the field of land and environmental protection has been recognized, leading to the establishment of specialized prosecutorial units. For instance, under Spain's Law No. 50/1981 of December 30, 1981 "On the Prosecution Service," the General Prosecutor's Office of Spain established special prosecutorial departments for land use, the protection of historical heritage, and combating economic and forest fires. However, the role of these prosecutors is not to supervise law enforcement but rather to oversee the investigation of crimes in these areas and to maintain public prosecution in court.

In highly developed countries such as the United States, the United Kingdom, the Netherlands, Italy, France, Spain, Germany, and others, the land market and legal regulation of land relations are well developed. Since land has long been transferred to private ownership in these countries, disputes related to land relations are predominantly resolved through civil litigation. Therefore, it has been concluded that in the future, the transition to full private ownership of land and the resolution of land use violations mainly through the application of financial and tax sanctions is advisable.

According to Article 831 of the Land Code, prosecutorial bodies are not listed among the entities authorized to exercise state control over land use and protection. Nevertheless, it has been concluded that prosecutorial bodies can provide methodological and practical assistance to local government authorities responsible for exercising such control, as well as to authorized state management bodies and other state institutions, ensuring practical cooperation to uphold the rule of law in this field.

The research has also led to the conclusion that there is a need for the adoption of an official regulatory document specifically governing issues of land management in cooperation with the Cadastre Agency under the State Tax Committee and the Ministry of Agriculture. Within the framework of this study, specific proposals on this matter will be developed.

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