



IMPROVEMENT OF THE MECHANISM OF EXECUTION OF ADMINISTRATIVE PENALTIES FOR DEPRIVATION OF SPECIAL RIGHTS

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Annotation: This article is devoted to the analysis of the current state of the mechanism for the execution of administrative penalties for deprivation of special rights in the Republic of Uzbekistan and ways to improve it. The legal basis of punishment, problems in the execution process, and their causes are considered. Based on the experience of foreign countries, proposals have been developed for modernizing the executive mechanism through digitalization, transparency, and advanced training of employees. The article emphasizes the stages of implementing reforms and their compliance with the interests of citizens and the state.

Keywords: deprivation of special rights, administrative penalty, enforcement mechanism, Code of Administrative Responsibility, digitalization, transparency, international experience, proportionality.

Input

The administrative penalty of deprivation of special rights serves as an important tool in the prevention of offenses and ensuring public order in the Republic of Uzbekistan. This penalty includes, for example, a temporary restriction on licensed activities such as driving, hunting, storing weapons, or engaging in certain professions. The Code of Administrative Responsibility of the Republic of Uzbekistan regulates the application and execution of this punishment (1). However, a number of problems are observed in the enforcement process, including bureaucratic obstacles, lack of transparency, and inefficient use of digital technologies. This article is devoted to analyzing the current state of the mechanism for the execution of punishment in the form of deprivation of special rights, identifying existing shortcomings, and developing proposals for their elimination.

The main purpose of deprivation of special rights is to ensure public safety and prevent future offenses by restricting the offender from engaging in certain activities. For example, the deprivation of the right to drive a person who has constantly violated traffic rules increases road safety. However, the complexity of the enforcement process, the lack of data storage in a single electronic system, and the insufficient provision of information to citizens hinder the full achievement of these goals. The article examines the solutions to these problems and provides practical recommendations for improving the implementation mechanism.

Legal basis

Administrative punishment in the form of deprivation of a special right is applied on the basis of Article 33 of the Code of the Republic of Uzbekistan on Administrative Responsibility (1). According to this article, deprivation of a special right may be imposed for a certain period (usually from one month to three years) and may be related to driving, hunting, storing weapons, or other licensed activities. The responsibility for the execution of punishment is

often assigned to internal affairs bodies, transport control bodies, or other authorized agencies.

Although the Code of Administrative Offenses details the procedure for applying and executing punishment, some problems arise in practice. For example, some articles of the code have a general character, which leads to different interpretations by executive bodies. For example, the specific criteria for the term of deprivation of the right to drive a vehicle are not sufficiently transparent, which leads to arbitrary decisions of judges and executive bodies. In addition, the adaptation of the execution process to digital platforms is insufficient, which limits the possibilities of fast and accurate data processing. Also, the issue of proportionality of punishment - that is, the correspondence of the term and consequences of punishment to the severity of the offense - has always been a subject of discussion.

Existing problems and their causes

The following problems are observed in the execution of punishment in the form of deprivation of special rights:

Complexity of procedures. The process of executing the sentence is multi-stage, incomprehensible to citizens, and time-consuming. For example, a person deprived of the right to drive a vehicle must apply to several agencies in the process of issuing a license, observing the term of punishment, and restoring it, which leads to bureaucratic obstacles.

Lack of transparency. Decisions made during the execution process are not sufficiently explained to citizens, which increases the risk of corruption. Citizens often do not have complete information about the term, conditions of punishment, and its grounds. For example, the procedure for restoring rights after the expiration of the sentence is not transparent.

Insufficient use of digital technologies. Information related to the execution of punishment is often stored on paper, or there is no continuous exchange of information between different agencies. This leads to errors, delays, and data loss.

Staff qualifications. The lack of professionalism of employees of executive bodies and the ability to correctly interpret the law leads to the adoption of erroneous decisions. For example, in some cases, the term of punishment is calculated incorrectly or the execution procedure is violated.

Among the main reasons for these problems are the fact that the MJtK does not fully meet modern requirements, the technological infrastructure is underdeveloped, and insufficient attention is paid to the continuous professional development of employees. In addition, the lack of open dialogue with citizens during the enforcement process is an important factor.

International experience

It is important to use the experience of foreign countries in improving the mechanism for the execution of punishment in the form of deprivation of special rights. The experience of some countries is considered below:

Singapore. In Singapore, the punishment of deprivation of special rights is carried out entirely through digital platforms. For example, persons deprived of the right to drive a vehicle receive information about the term of punishment, conditions, and the procedure for reinstatement through the online portal. GovTech Agency stores data in a single system and ensures uninterrupted exchange between agencies (2).



Estonia. Estonia's "e-Governance" system ensures high transparency and efficiency in the execution of punishment in the form of deprivation of special rights. Data exchange is carried out through the X-Road platform, which speeds up the execution process and reduces errors. Citizens have the opportunity to receive information about the punishment and file complaints through the online portal (3).

Germany. In Germany, the punishment of deprivation of special rights is based on strict legislation, and the execution process is highly automated. The terms and conditions of punishment will be clearly explained to citizens, and the procedure for appealing decisions will be simplified. This reduces the risk of corruption and increases the effectiveness of implementation (4).

These experiences can be useful in modernizing the mechanism for the execution of punishment in the form of deprivation of special rights in Uzbekistan. The experience of Singapore and Estonia in the implementation of digital platforms and increasing transparency is of particular importance.

Proposals for improvement

To improve the mechanism for the execution of punishment in the form of deprivation of a special right, it is recommended to take the following measures:

Reform of legislation. Adaptation and clarification of the articles of the Code of Administrative Offenses related to the deprivation of special rights to digital technologies (1). To ensure the proportionality of the terms and conditions of punishment, it is necessary to develop specific criteria.

Implementation of digital platforms. Creation of a unified electronic system for storing and exchanging information related to the execution of punishment between agencies. Citizens should have the opportunity to receive information about the term of punishment, conditions, and the procedure for its reinstatement through an online portal or mobile applications.

Increasing transparency. The enforcement process should be open and understandable to citizens. All decisions should be published online, and their grounds should be explained to citizens. The procedure for filing a complaint should be simplified.

Professional development of employees. Conducting regular training for employees of executive bodies, improving their skills in the correct interpretation of the Code of Administrative Offenses and the use of digital technologies.

Application of international experience. Studying the experience of such countries as Singapore and Estonia and adapting them to local conditions. For example, implementing a data exchange platform similar to Estonia's X-Road system (3).

Implementation Stages

To implement the proposed reforms, it is recommended to implement the following steps:

Stage 1: Analysis and planning. Detailed analysis of the shortcomings of the existing enforcement mechanism and development of a reform plan. At this stage, lawyers, IT specialists, and representatives of executive bodies should be involved.

Stage 2: Pilot projects. Testing of digital platforms in certain regions. For example, the implementation of an online system for the execution of punishment in the form of deprivation of the right to drive a vehicle in Tashkent.



Stage 3: Full implementation. Implementation of a unified digital system throughout the country. Mass media campaigns should be conducted to raise public awareness.

Stage 4: Monitoring and evaluation. Constant monitoring of the effectiveness of reforms and making necessary adjustments. Collecting feedback from citizens and further improving the system.

Conclusion

Improving the mechanism for the execution of administrative penalties in the form of deprivation of special rights is important for strengthening the rule of law in Uzbekistan, ensuring public safety, and increasing citizens' trust in government bodies. Existing problems - complexity of procedures, lack of transparency, and insufficient use of digital technologies - can be eliminated through the introduction of modern technologies, legislative reform, and professional development of employees. If the proposals presented in this article are put into practice, the effectiveness and transparency of the enforcement mechanism will increase, which will serve the interests of citizens and the state.

Through digitalization, transparency, and training of professional personnel, Uzbekistan can adapt the penal system for deprivation of special rights to international standards. This will contribute not only to the prevention of offenses, but also to strengthening citizens' trust in the state.

References:

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- 4.German system of administrative penalties: www.bundesrecht.juris.de

