

## SUBJECT AND MAIN FORMS OF COOPERATION BETWEEN THE SUPERVISORY AUTHORITIES AND THE PROSECUTOR'S OFFICE

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**ABSTRACT:** The article discusses the issues of improving the organizational and legal framework of cooperation between the prosecutor's office and other regulatory agencies on the implementation of legislation in the field of water and water use. The article describes the specifics of the prosecutor's control, the positive aspects of cooperation, its forms, as well as the goals of cooperation of the prosecutor's office with public organizations, its current trends, problems in our national legislation and their solutions.

**KEYWORDS:** Prosecutorial control, state control, water legislation, law enforcement, legality, law enforcement, cooperation, civil society, modern trends, national legislation, problems and their solutions.

### INTRODUCTION

#### The need to control the regulation of water relations

One of the global problems of the world is the rational and economical use of water in agriculture to ensure food security in the face of global warming and population growth. According to the UN, water resources will play a crucial role in the Third Millennium Agenda [1]. The urgency of this issue is also evidenced by the fact that in 2000-2016, the UN General Assembly adopted seven resolutions on water issues. Therefore, 2003 is called the International Year of Fresh Water, the International Decade for Action "Water for Life" from 2005 to 2015, the International Year of Water Cooperation 2013 and the Decade of International Action "Water for Sustainable Development" from 2018 to 2028.

Particular attention is paid to the fight against environmental crimes, wasteful use of water resources, as well as the prevention of mismanagement of hydraulic and reclamation facilities, the identification of causes of violations of water legislation, the study of organizational and legal issues. In this regard, it is especially important to study the issues of combining the forces and means of nature protection and law enforcement agencies, strengthening strict state and public control over the implementation of legislation governing judicial relations.

In order to radically reform the water management system and implement a special state program on water economy in the context of building a new Uzbekistan, large-scale systemic measures are being taken in the country [2]. Indeed, water scarcity in Central Asia has a devastating impact on energy shortages, food security and the environment, and the problem can also be assessed as a security threat. Therefore, the head of our state stressed that “environmental security, rational use of water and natural resources should be in the center of our attention, and the introduction of advanced technologies for the rational use of land and water resources is one of our most important tasks [3].

### **Relevance and necessity of research.**

In this regard, the President of the Republic of Uzbekistan Shavkat Mirziyoyev in his Address to the Upper House stressed the need to focus on environmental safety, rational use of water and natural resources, and the introduction of advanced technologies for the rational use of land and water resources [4]. In his speech on the occasion of the 75th anniversary of the United Nations, President Islam Karimov also spoke about the catastrophic consequences of the drying up of the Aral Sea and made specific proposals to eliminate it [5].

Well-known American scholar Friedrich Starr, in his book *Lost Enlightenment*, pointed out that during the first renaissance in Central Asia, three major foundations played an important role in the development of the state. The first is science, the second is construction, and the third is the construction of irrigation networks. In his book, the scientist praised the construction of advanced irrigation networks, raising the water level and providing drinking water to the population in the period when the peoples of the world were not yet formed as a nation and the United States was not discovered [6].

We all know that the total area under crops in our country is 4 million hectares. hectares, of which 3.2 million hectares are irrigated. hectares or 81.3 percent. Today, while 5-6 thousand cubic meters of water are used to irrigate 1 hectare of arable land in developed countries such as

Germany, Belgium, France and Israel, in our country 10.5 thousand cubic meters of water are used, which requires effective control in this direction.

In 2021, 12 billion soums will be spent in our country. cubic water shortage forecast Drought and water scarcity in Central Asia are increasingly on the agenda of rational and economical use of water.

According to the UN, water resources will play a crucial role in the Third Millennium Agenda [7]. Today, the per capita water consumption in Uzbekistan is 115-240 liters per day, which is lower than the world average. For example, in the United Arab Emirates, the daily norm is 700 liters, in Russia 400 liters, in the United States 200 liters, and in Germany 130 liters [8].

As in the world, water resources in our country are limited. Fresh water accounts for 8% of total water resources and 67% of drinking water.

In 2019, it is claimed that Uzbekistan has 161.4 thousand cubic meters per day of drinking water, which is enough for 950,000 people [9].

One of the biggest problems is the uneven distribution of groundwater throughout the country [10].

According to media reports, water scarcity in Central Asia is having a devastating impact on energy shortages, food security and the environment. This problem can also be assessed as a security threat. Experts noted in their speeches in November 2021 that the power systems of Central Asian countries operate in harmony, so a major accident in one country can be felt in the power supply of other countries at once [11].

We all know that on January 25, 2022, as a result of a blackout in Uzbekistan, there was a mass power outage. According to the national movement Yuksalish, the incident affected more than 40 million people in the three countries [12].

Experts note that the scale of economic losses of power outages is mainly influenced by the frequency of outages, duration of outages, types of users, time of outages, advance notification of power outages and other similar factors [13].

Large-scale disruptions in electricity supply cause enormous economic damage to society. Because in today's society, along with the daily life of the population, the uninterrupted operation of a number of production and service sectors of the economy is directly related to the supply of electricity [14].

In particular, in Uzbekistan alone, this process can be clearly observed during the delivery of water to consumers (losses in irrigation systems due to outdated and rotten infrastructure is 35-40%) and in the consumption process (only 3-5% of irrigated lands use water-saving technologies) [15].

The Decree of the President of the Republic of Uzbekistan dated January 28, 2022 "On the Development Strategy of New Uzbekistan for 2022-2026" approved the "State Program for the implementation of the Development Strategy of New Uzbekistan for 2022-2026 in the Year of Human Dignity and Active Neighborhood [16]."

It is known that the control over the accurate and uniform implementation of laws in the territory of the Republic of Uzbekistan is carried out by the General Prosecutor of the Republic of Uzbekistan and his subordinate prosecutors [17].

Procurator's control over the implementation of legislation in the field of water and water use is one of the most important activities of the prosecutor's office in accordance with the new Law of the Republic of Uzbekistan dated August 29, 2001 "On the Prosecutor's Office" [18].

In their research, A.B Kamilov [19] and I.B Juraev [20] studied the legal basis for the legal protection of entrepreneurs, improving the organizational and legal framework of prosecutorial control over the implementation of legislation in higher education, but in these studies on the implementation of legislation in the field of water and water use, no research has been conducted on the differences and similarities between prosecutorial oversight and the oversight of other governmental and non-governmental bodies in this area, nor on the interaction between them.

Issues of prosecutorial control over the implementation of legislation in the field of environmental protection in the CIS countries were studied by A.Y Vinokurov, S.G Kirichenko, O.V Kalugina, E.A Kunitsina, E.Y Shersneva, K.A Bijanova and other scientists.

It should be noted that the Russian lawyer A.Yu. Vinokurov has done a lot of research on the nature protection activities of the prosecutor's office and supervised many dissertations, and created a special school in the Russian Federation in this regard. However, in the research of A.Yu. Vinokurov, including the above-mentioned foreign scientists, the problems of improving the environmental activities of the Prosecutor's Office of the Russian Federation, the legal and organizational basis of prosecutorial control over the implementation of forest and land legislation, prosecutorial control over compliance with environmental legislation is studied.

**Features of the prosecutor's control over the implementation of legislation in the field of water use.**

According to Article 34 of the new version of the Law of the Republic of Uzbekistan "On guarantees of freedom of entrepreneurial activity", state bodies, other organizations and their officials have no right to interfere in the activities of business entities in accordance with the law. If government agencies and their officials find violations of the law in the activities of business entities, they may, within their competence, take measures directly related to the elimination of certain violations. State bodies and their officials may not use the fact of violation as a basis for interfering with other legal activities of business entities or restricting such activities [21]. Under no circumstances shall the activities of prosecutors be replaced by the activities of public authorities in the field of water and water use. In case of receipt of information on violations in this area, which violate the rights and legitimate interests of citizens, prosecutors must send the information to the competent supervisory authority. The above-mentioned Order No. 160 of the Prosecutor General of the Republic of Uzbekistan also stipulates that measures should be taken to further improve cooperation with local executive authorities, law enforcement and oversight bodies in the detection and prevention of violations of the law. and instructions not to allow the performance of functions as an executor (paragraph 8.1).

In this regard, the legal literature suggests that in any case, prosecutors should not be allowed to carry out the activities of public authorities in the field of ecology, otherwise it will reduce the effectiveness of the prosecutor's office in carrying out its main tasks [22].

It should be noted that the increase in the efficiency of prosecutors in the implementation of tasks aimed at ensuring the rule of law is undoubtedly directly related to the degree of interaction and improvement of the interaction of prosecutors with public authorities and local authorities. Therefore, in order to increase the effectiveness of prosecutorial control over the implementation of legislation in the field of water and water use, which is one of the most pressing issues in society, the legal regulation of relations between the prosecutor's office and public administration, local government, citizens' self-government and civil society institutions, encouraging positive practices that promote collaboration, in turn, will help identify differences

and similarities between prosecutorial oversight and other types of oversight, resulting in improved prosecutorial oversight.

### **Important schemes of cooperation**

It should be borne in mind that, as in other areas, there is a large flow of documents between the prosecutor's office and public administration, local government to ensure the implementation of documents in the field of water and water use, which in turn requires optimizing these information flows. In addition, cooperation between the prosecutor's office and public administration, local public authorities in this area is also reflected in the provision of legal assistance to authorities and officials in need. This is manifested, first of all, in the provision of relevant advice, as well as in the explanation of the provisions of applicable regulations and the practice of their application.

In fact, the prosecutor's office uses the means at its disposal to eliminate the violations identified by the supervisory authorities, as well as to encourage the actions of public authorities to eliminate violations, to prosecute the perpetrators in the manner prescribed by law, to eliminate the causes of violations, really contributes to its fulfillment.

However, despite the fact that in recent years there has been a great deal of experience in the interaction of prosecutors with other oversight bodies, the importance of the prosecutor's office's interaction with oversight bodies, in particular those responsible for water use and protection, is the prosecutor's oversight function, specific aspects of science theory have not yet been fully explored.

### **Positive aspects of cooperation.**

The following positive aspects of good cooperation between the prosecutor's office and other competent authorities in the field of water use and protection can be highlighted:

- it will be possible to replenish the database containing information on the status of implementation of the legislation and the measures taken by these bodies to eliminate and prevent offenses;
- agreed action at the stage of planning and implementation of control measures, timely correction of work plans;
- Prevention of duplication of work (inspections, submission of acts, measures for the implementation of preventive work, etc.);

- increase the quality and effectiveness of control and inspection measures (for example, a more complete identification of the causes and conditions that contribute to the commission of offenses);
- professional level of staff (for example, prosecutors will have the necessary knowledge and legal culture in the field of water use and protection as a prerequisite for achieving positive results in their work);
- greater transparency and mutual trust between prosecutors and other competent oversight bodies in order to increase the effectiveness of their efforts to strengthen the rule of law in the field of water use and protection.

Therefore, it is important to develop an appropriate order of the Prosecutor General of the Republic of Uzbekistan in this regard. The analysis shows that in practice, the following forms of cooperation are common in the activities of prosecutors and regulators in the field of water use and protection:

- ❖ Mutual coordination of work plans;
- ❖ Mutual information exchange;
- ❖ Mutual or simultaneous inspection of compliance with the legislation in the field of water use and protection;
- ❖ Joint participation in commission meetings and operational meetings;
- ❖ Joint participation in prevention activities;
- ❖ Organizing joint trainings for prosecutors and other oversight bodies in the field of water use and protection;
- ❖ Joint preparation of drafts of normative legal acts in the field of water use and protection.

### **Issues of cooperation with civil society institutions**

The role of civil society institutions in monitoring the implementation of legislation in the field of water use and protection is particularly important. It is important that prosecutors use in their work the most effective forms of cooperation with the public that meet their goals and objectives, formed in the prosecutor's office, as well as developed by other government agencies.

The main forms of cooperation between the prosecutor's office and civil society institutions are:

- 1) regular participation in the development and implementation of joint complex programs;

- 2) holding joint events;
- 3) information exchange;
- 4) methodological, consulting, organizational assistance;
- 5) other forms of cooperation.

Currently, the Department of Public Relations and Legal Information operates in the structure of the Prosecutor General's Office of the Republic of Uzbekistan.

In ensuring effective cooperation with the public, the prosecutor will have the opportunity to have a constant source of additional information about violations in various areas of public relations, and, accordingly, to effectively influence the rule of law. At the same time, it is important for civil society institutions - carriers of information - to verify the information received by the prosecutor and, in cases provided by law, to take action by the prosecutor on specific facts. In addition, the parties will have the opportunity to exchange information on other issues of mutual interest, in particular, on specific events planned or conducted, or on issues specified in the relevant cooperation agreements.

The system of dealing with appeals in the Prosecutor's Office has been radically improved, a center for continuous reception of appeals has been established in the Prosecutor General's Office, and the organization of mobile receptions has become a regular practice.

### **Factors in the development of cooperation**

Based on the study of the current state of cooperation between the prosecutor's office and public authorities, local authorities and civil society institutions, it can be concluded that cooperation in this area has intensified over the past five years. The following factors are the basis for such a conclusion:

- The policy of openness pursued by the President of the Republic of Uzbekistan Sh.M.Mirziyoev on cooperation with the prosecutor's office and oversight bodies, as well as civil society institutions, in line with this In accordance with the 17th goal of the new Development Strategy of Uzbekistan for 2022-2026, approved by Decree No. PF-60, "Formation of a new image of law enforcement agencies, dignity, rights and freedoms of the people's interests and their effective protection";
- Introduction of new organizational structures in the Prosecutor General's Office of the Republic of Uzbekistan, as well as the Bureau of Enforcement under the Prosecutor

General's Office of the Republic of Uzbekistan, ie the Department of Public Relations and Legal Information and relevant positions;

- accumulation of positive experience in the organization and implementation of activities under consideration by the prosecutor's office;
- organization of regular training courses for prosecutors in charge of public relations and legal information, the creation of scientific, educational and methodological literature on cooperation;
- reflection in the improvement of the legal framework of mutual cooperation, primarily through the signing of various cooperation agreements.

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