Another dissertation defence held at the Academy

On 5 November 2026, a meeting of the Scientific Council DSc.24/2026.31.01.Yu.01.02 at the Law Enforcement Academy of the Republic of Uzbekistan hosted the defence of **Shohrukh Mirzo Boymurod ugli Khalilov's** dissertation entitled **"Issues of Improving the Procedural Status of an Investigator"**, submitted for the degree of Doctor of Philosophy (PhD) in Law in the specialty 12.00.09 – Criminal Procedure, Criminalistics, Operational-Search Law and Forensic Examination.

The aim of the research is to develop advanced theoretical concepts, new scholarly definitions, comprehensive comparative proposals and recommendations, as well as substantiated academic conclusions aimed at improving the procedural status of an investigator.

The objectives of the research are:

to conduct a comparative analysis of the content of the investigator's procedural functions and duties in light of international law and the experience of foreign countries, and to determine their correlation;

to classify the investigator's procedural powers according to the degree of independence and identify existing procedural gaps;

to examine the nature of the investigator's role in criminal proceedings and analyse institutional conflicts of interest arising in the determination of investigative jurisdiction over crimes committed by law enforcement officers;

to distinguish between the concepts of procedural freedom and procedural independence of an investigator, formulate original scholarly definitions of these concepts and determine the structure of safeguards ensuring procedural independence;

to substantiate the need to establish in legislation the duty to conduct an objective investigation and negative safeguards of the investigator's procedural independence, and to develop proposals for improving the mechanisms for ensuring such safeguards, including the procedure for lodging objections to instructions issued by a prosecutor;

to systematise the procedural functions of the head of an investigative body and develop a mechanism for delineating the head's powers and the investigator's procedural independence;

to substantiate the stability of the allocation and reassignment of criminal cases as a safeguard of the investigator's procedural independence and develop a corresponding regulatory mechanism;

to develop a judicial protection mechanism against unlawful interference with the investigator's procedural independence, and substantiate proposals

concerning the procedure for initiating criminal proceedings against an investigator and the alignment of performance assessment criteria with the duty to ensure procedural objectivity;

to develop legislative proposals and practical recommendations aimed at addressing gaps identified in the procedural status of an investigator.

The object of the research comprises the social and legal relations arising in the course of the implementation of the investigator's procedural status, the exercise of their powers, and their interaction with the prosecutor, the head of the investigative body and the court.

The subject of the research comprises scholarly views and theoretical concepts within criminal procedural law concerning the regulation of the investigator's procedural status; provisions of criminal procedural legislation and international law; subordinate regulatory legal acts governing investigative activities; law enforcement practice; the legislative experience of foreign countries; and theoretical and conceptual approaches reflected in legal scholarship.

Research methods. The study employed historical, systemic and structural, comparative legal, formal logical and specific sociological methods, as well as a comprehensive examination of scholarly sources, induction and deduction, statistical data analysis, and the study of documents relating to investigative and judicial practice.

The scientific novelty of the research is as follows:

the study substantiates the need to enshrine in the provision defining the investigator's powers the duty, alongside conducting criminal prosecution against a suspect or accused person, to examine the circumstances of a case comprehensively, fully and objectively, and to take the necessary measures to identify, collect, examine and assess not only evidence confirming a person's guilt, but also circumstances that exonerate the person or exclude or mitigate their criminal liability;

the study substantiates a prohibition on requiring an investigator, in cases not expressly provided for by the Criminal Procedure Code, to obtain approval from a prosecutor, the head of an investigative body or another official for key procedural decisions, as well as on compelling the investigator to adopt a procedural decision contrary to their inner conviction formed on the basis of verified evidence;

the study substantiates that criminal cases should be allocated among investigators through an automated information system based on objective criteria; that the transfer of a criminal case from one investigator to another should be permitted only where grounds established by law exist and pursuant to a decision specifying the relevant factual and legal grounds; and that an investigator

may be removed from proceedings only by a reasoned decision in cases of serious or repeated violations of the requirements of the Code;

the study substantiates the definition of the head of an investigative body as an official exercising procedural leadership and oversight over preliminary investigative activities; the introduction of the concept of a "senior head of an investigative body"; the prohibition on the head issuing instructions to an investigator concerning the assessment of evidence, the legal classification of a crime, the scope of charges or the achievement of a specific outcome in a case; and the requirement that, upon identifying an unlawful or unfounded decision refusing to initiate criminal proceedings, the head prepare a reasoned procedural opinion and submit it to the prosecutor.

The practical results of the research are as follows:

a draft of Article 34^1 of the Criminal Procedure Code has been developed, defining the concept of criminal prosecution and the entities authorised to carry it out;

a draft of Article 36^1 of the Criminal Procedure Code, establishing safeguards for the investigator's procedural independence, has been developed, together with proposals concerning the time limits and procedure for considering objections to a prosecutor's instructions;

a draft of Article 591^1 of the Criminal Procedure Code has been developed, establishing a special procedure for initiating criminal proceedings against an investigator or the head of an investigative body;

a draft of Article 358^1 of the Criminal Procedure Code has been developed, establishing the procedure for a judicial investigator to consider an application concerning compliance with safeguards of the investigator's procedural independence, together with proposals for supplementing Article 31^1 of the Code;

recommendations have been developed for improving departmental performance assessment criteria based on a results-neutral model for evaluating investigators' activities;

recommendations have been developed regarding the adoption of a resolution of the Cabinet of Ministers establishing the procedure for automated allocation of criminal cases, as well as amendments to the explanatory guidance of the Plenum of the Supreme Court concerning the legal classification of offences related to the investigator's procedural activities;

a mechanism has been developed for recording procedural instructions issued by the head of an investigative body in an electronic registration form.