The Academy hosts another dissertation defence

On 11 November 2026, a dissertation defence was held at a meeting of the Scientific Council DSc.24/2025.27.12.Yu.01.01 under the Law Enforcement Academy of the Republic of Uzbekistan. **Shayzakov Shodiyor Ibragimovich**, Head of the Centre for Coordination of Scientific and Innovative Research and Training of Academic Personnel, defended his dissertation entitled **"Theoretical and Practical Issues of the Institution of Reviewing Judicial Acts by Higher Courts in Civil Proceedings"**, submitted for the degree of Doctor of Science (DSc) in Law in the speciality 12.00.04 – "Civil Procedural Law. Economic Procedural Law. Arbitration Proceedings and Mediation".

The aim of the research is to develop theoretical conclusions, as well as proposals and recommendations for the development of legislation, addressing the theoretical and practical issues of the institution of reviewing judicial acts by higher judicial instances in civil proceedings.

The objectives of the research are:

to examine the procedural substance of the institution of reviewing judicial acts in civil cases;

to analyse the legal framework governing the review of civil cases by higher judicial instances;

to examine the subject matter of the review of civil cases by higher judicial instances;

to study the procedural grounds, participants and specific features of the reopening of proceedings before higher judicial instances;

to analyse the procedural rules governing the review of civil cases by the appellate court and its powers;

to examine the procedure for hearing civil cases by courts of cassation and their powers;

to investigate the procedural aspects of reviewing civil cases under the supervisory review procedure and the powers of the relevant court;

to study the procedure and procedural features of reviewing civil cases based on newly discovered circumstances;

to examine the experience of developed foreign countries in the field of reviewing civil cases by higher judicial instances;

to conduct a comparative legal analysis of the institution of reviewing judicial acts under the civil procedural legislation of CIS countries;

to investigate the role of artificial intelligence in improving the efficiency of reviewing civil cases by higher judicial instances;

to develop proposals and recommendations for improving civil procedural legislation and judicial practice aimed at enhancing the procedural framework for reviewing civil cases by higher judicial instances.

The object of the research is the system of social and legal relations arising in the course of reviewing judicial acts by higher courts in civil proceedings.

The subject of the research comprises regulatory legal acts concerning the theoretical and practical issues of the institution of reviewing judicial acts by higher courts in civil proceedings, law enforcement practice, legislation and practice in this field, as well as conceptual approaches and scholarly and theoretical views existing in legal science.

Research methods. The research employed comparative legal, logical, analytical and historical methods, induction and deduction, comprehensive analysis of scholarly sources, surveys of law enforcement practitioners, scientific interpretation of legal provisions, generalisation of judicial practice materials, and analysis of statistical data.

The scientific novelty of the research is as follows:

the necessity of legislatively regulating the procedure for filing an appeal (protest) against decisions, rulings and orders of courts of first instance that have not yet entered into legal force, the list of documents to be attached to an appeal (protest), as well as granting the appellate court the authority to set aside a decision and refer the case materials to another court having jurisdiction over the case where the court of first instance considered the case in violation of jurisdictional rules, has been substantiated;

the right of a prosecutor, as well as a superior prosecutor, to lodge an appeal protest against a judicial act of a court of first instance that has not entered into legal force in a case heard with the participation of a prosecutor, or in a case in which the participation of a prosecutor is required by law but which was considered without duly notifying the prosecutor of the time and place of the court hearing, has been substantiated;

the need to expand the right to file a cassation appeal (protest) against decisions, rulings and orders of courts of first instance that have entered into legal force, clearly define the categories of courts authorised to consider cassation appeals (protests), and establish the procedural requirements and time limits for filing a cassation appeal (protest), has been substantiated;

the need to attach to a cassation protest, in a case considered by a cassation court without the participation of a prosecutor, a copy of the application submitted by the persons specified in Part One of Article 403 of the Civil Procedure Code, which served as the basis for lodging the protest, has been substantiated, except for cases in which the participation of a prosecutor is required by law but the case was

considered without duly notifying the prosecutor of the time and place of the court hearing;

it has been substantiated that, when reviewing a civil case under cassation proceedings, the court of cassation must examine new evidence submitted to the court and establish new facts in order to verify the legality, validity and fairness of judicial acts. The court of cassation may not limit its review solely to the arguments set out in the appeal (protest), referring to the completeness of the examination of the case materials by the court of first instance, and is required to review the judicial act in its entirety;

scholarly and theoretical provisions have been developed concerning the concepts of appeal and appeal protest, the primary purpose of the appellate institution, its specific features as an independent institution of civil procedural law, the procedure and consequences of withdrawing an appeal and waiving claims during appellate proceedings, the stages of consideration of a case by an appellate court, and the substance of amending a judicial decision.

The practical results of the research are as follows:

in order to improve the procedural mechanisms for reviewing judicial acts in civil cases by higher judicial instances, the necessity of introducing relevant additions and amendments to Articles 10, 17, 128, 192, 194, 195, 208, 372^{4}, 389^{5}, 396, 407^{9}, 416, 419^{4}, 419^{5}, 419^{6}, 419^{10}–419^{12}, 419^{14}, 419^{15}, 419^{20}, 419^{25}, 419^{26}, 419^{27}–419^{30}, 437 and 439 of the Civil Procedure Code of the Republic of Uzbekistan has been substantiated;

the necessity of introducing artificial intelligence into the processes of reviewing judicial acts in civil cases by higher judicial instances has been substantiated;

the necessity of incorporating a new chapter entitled “Use of Artificial Intelligence Technologies in Civil Proceedings” into civil procedural legislation has been substantiated;

a draft of a new Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan entitled “On the Application by Courts of Legislation Governing the Review of Judicial Acts in Civil Cases that Have Entered into Legal Force Based on Newly Discovered Circumstances” has been developed;

a draft of a new Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan entitled “On the Practice of Courts in Hearing Civil Cases under Appellate and Cassation Proceedings” has been developed;

a draft of a new Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan entitled “On the Review of Civil Cases by Courts under the Supervisory Review Procedure” has been developed;

a draft of a new Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan entitled “On Certain Issues Concerning the Use of Artificial Intelligence by Courts in Civil Cases” has been developed;

a draft Concept for establishing a model of civil justice in the Republic of Uzbekistan for 2030–2040, based on simplified procedures and uniform judicial practice, entitled “A New Court – A New System – 2040”, has been developed.