

**"IMPLEMENTATION OF THE PLEA DEAL MECHANISM: A RECENT  
DEVELOPMENT IN UZBEKISTAN'S CRIMINAL JUSTICE SYSTEM"**

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**Abstract.** The article analyzes the purpose and social necessity of introducing the institution of a plea agreement into the criminal process, the features of the application of this institution, explores the main provisions of the law regarding plea agreements, important aspects of the plea agreement procedure, the advantages and disadvantages of this institution. The role of the court in concluding a plea agreement, the differences between such concepts as "plea agreement", "cooperation agreement" and "abbreviated forms of litigation", as well as their essence are highlighted. In addition, the views of scientists on the appointment and main functions of the institution of admission of guilt are studied, the author's conclusions and conclusions are presented.

**Keywords:** guilt, plea guilt, plea bargain agreement, evidence, assistance in the detection of a crime, benefits in the criminal process, mitigating circumstances of the situation.

The institution of a plea agreement has recently been incorporated into the Criminal Procedure Code of the Republic of Uzbekistan. On February 18, 2021, the President of Uzbekistan, Sh. Mirziyoyev, signed a law introducing amendments and additions to the Criminal Code and the Criminal Procedure Code.

As a result of these amendments, several new procedural institutions were introduced into the Criminal Procedure Code, including:

- preliminary securing of testimony;
- preliminary hearing of a criminal case;
- plea agreement.

A plea agreement is defined as an agreement concluded between a prosecutor and a suspect or accused person in cases involving crimes of minor public danger, less serious or serious crimes. Such an agreement is based on the petition of the suspect or accused, who admits guilt, actively assists in the disclosure of the crime, and compensates for the damage caused.

The Criminal Code was supplemented with Article 57<sup>2</sup>, which establishes that the term or amount of punishment imposed for crimes committed under a plea agreement may not exceed one half of the maximum penalty provided by law.

This law entered into force on the date of its official publication, namely February 18, 2021. The introduction of the plea agreement institution had previously been envisaged by the Presidential Decree dated August 10, 2020.

The issue under consideration is of significant importance not only for law enforcement bodies, but also for the protection of constitutional rights of individuals involved in criminal proceedings.



Given the scope and depth of the expected changes in the activities of investigative bodies, prosecutors, and courts, the experience of reforming criminal justice systems in a number of post-Soviet states—such as Georgia, Moldova, Latvia, Estonia, Ukraine, Kazakhstan, as well as Germany—was analyzed. In addition, informational materials on criminal procedure in the United States, the United Kingdom, France, Sweden, and other developed countries were examined.

## **Purpose of the study**

The primary objective of this research is to identify the socio-political and procedural-legal goals pursued by the legislator through the introduction of the plea agreement institution, to assess its practical effectiveness, and to analyze its functions and objectives within criminal proceedings.

## **Literature review**

To date, national procedural scholarship contains a limited number of scientific studies devoted to the institution of plea agreements, as this mechanism represents a novelty in the criminal procedure of Uzbekistan. Among the researchers who have addressed this topic are U.A. Tukhtasheva, G.Z. Tulaganova, B. Salomov, and D. Bazarova. However, their works mainly focus on the general concept and essence of the plea agreement, without providing a comprehensive analysis of its procedural goals and functions.

In contrast, plea agreements have long been successfully applied in foreign legal systems, where extensive judicial practice and well-developed scientific doctrine exist. In this regard, the works of such foreign scholars as John H. Langbein, Chereminsky E., Levenson L., Gabriela Aceves, M. Vogel, Stephen F., Garoupa N., Stuntz W.J., Tague P., Mike Work, as well as CIS scholars including Peshkov M.A., Kuvaldina Yu.V., Makhov V.N., Bochkarev A.E., and Dubovik N., are of particular relevance.

## **Materials and methods**

The study employs general scientific and logical methods of cognition, including analysis and synthesis, as well as historical and comparative legal methods.

## **Research results**

A plea agreement, often referred to as a “deal with justice,” represents a procedural mechanism whereby the investigator or prosecutor offers the accused an opportunity to plead guilty to a criminal offense or to a less serious charge in exchange for a mitigated sentence. This mechanism allows the accused to avoid a full-scale trial and reduces the risk of conviction on more serious charges.

Based on the experience of foreign jurisdictions, the introduction of this institution into the Criminal Procedure Code of Uzbekistan may lead to the following outcomes:



1. increased efficiency in the investigation of criminal cases, positively affecting the workload of investigators, prosecutors, and judges;
2. conservation of investigative resources, which may be redirected toward the investigation of grave and especially grave crimes;
3. reduction in the number of persons sentenced to imprisonment through wider application of alternative sanctions, such as restriction of liberty, community service, corrective labor, fines, and suspended sentences;
4. creation of an additional procedural instrument for uncovering complex forms of criminal activity, including organized crime and criminal associations.

### **Specific advantages of introducing plea agreements**

First, plea agreements enable courts to render judgments without examining all case materials in detail, relying primarily on the confession of the accused. This contributes to the acceleration of criminal proceedings, expedites the implementation of criminal liability, and significantly reduces the workload of judges, while ensuring a high probability of conviction.

Second, law enforcement agencies gain the opportunity to allocate more resources to the investigation of other crimes and to identify additional participants involved in criminal activities.

Third, plea agreements have a preventive effect on convicted persons, including those sentenced on probation. In cases where restrictions imposed by the prosecutor are violated, the convicted person retains the right to petition the court for the annulment of the plea agreement.

