



Annotation

The article examines the key tasks and functions of investigative units in the process of solving crimes amid the modernization of criminal procedure legislation in the Republic of Uzbekistan. The author emphasizes the role of investigative-operational groups as an effective organizational mechanism that ensures a prompt response to reports of crimes. The paper analyzes legal gaps in the current legislation regarding the regulation of such groups' activities and offers recommendations for improving coordination between investigators and operational officers. Special attention is given to the role of the investigator as a coordinator responsible for the completeness and objectivity of the preliminary investigation, as well as to the issues of procedural independence and coherence in the actions of investigative-operational group members. The study draws on opinions from Uzbek and international legal scholars, along with references to the Criminal Procedure Codes of Uzbekistan and Russia.

Keywords: investigative unit, investigative-operational group, crime solving, criminal procedure legislation, investigator, operational actions, procedural coordination, legal regulation, criminal investigation, law enforcement cooperation.

In his speech at the solemn ceremony dedicated to the 27th anniversary of the adoption of the Constitution of the Republic of Uzbekistan, our President Shavkat Mirziyoyev emphasized that the effectiveness of any democratic reforms, as well as the foundation of peace and development, is directly linked to the supremacy of the Constitution and the rule of law. He also underlined that ensuring respect for human rights and freedoms, and honoring the dignity of every individual, are integral features of the open, free, and just society we are striving to build.

In recent years, certain measures have been taken in our country to improve the judicial and legal system, to ensure that no person is discriminated against in terms of their rights, freedoms, honor, and dignity, and that no one is held unjustly accountable for a crime they did not commit — all based on the principles of humanism. In ensuring the effectiveness of reforms, efforts to curb crime and guarantee the inevitability of accountability for criminal acts are of great significance.

At the same time, an analysis of the pre-investigation process reveals systemic problems and shortcomings that hinder the effectiveness of the investigative-operational group's activities and negatively impact the impartiality of the bodies involved in solving crimes. This, in turn, requires the implementation of a series of measures aimed at improving the activities of investigative-operational groups.

To fully understand the meaning of any phrase, a lexical analysis is required. Although the *Explanatory Dictionary of the Uzbek Language* does not contain a definition of the phrase "investigative-operational group" in this form, its lexical meaning can be derived through an analysis of the individual words that make up the phrase.



The lexical meaning of the word "**investigation**" is described as examining the circumstances, causes, and participants of a committed crime, questioning, and collecting evidence related to a criminal case [2]. The word "**operational**" is defined as moving quickly and achieving results rapidly [3]. The word "**group**" is understood as a formal or informal collective formed based on common goals, ideology, or activities [4].

From this, we can conclude that an **investigative-operational group** can be defined as a formal or informal collective formed on the basis of shared goals, ideology, and activity, which acts quickly and achieves results rapidly in order to examine the circumstances, causes, and participants of a committed crime, conduct interrogations, and gather evidence related to a criminal case.

As society progresses and time advances, the types and methods of crimes being committed are becoming increasingly complex. One of the key characteristics of intentional crimes is the method by which they are committed.

According to **Chapter 1, Article 2** of the **Criminal Procedure Code of the Republic of Uzbekistan**, titled "Tasks of the Criminal Procedure Legislation," it is stated that: *"The tasks of the criminal procedure legislation consist of the prompt and complete detection of crimes, ensuring that every person who has committed a crime receives a fair punishment, and that no innocent person is held liable or convicted, as well as ensuring the correct application of the law."* [5]

Solving crimes is a process that requires the use of all available forces and resources of internal affairs bodies and the cooperation of other law enforcement agencies, state institutions, and the public in maintaining public order and combating crime.

According to **Article 163 of the Criminal Procedure Code of the Russian Federation**, *"The investigator – as the head of the group – ensures the overall coordination of the group's work, determines the strategy and tactics of the investigation, approves the plans of the investigators included in the investigative group, develops the general plan of investigative actions, and coordinates their implementation by the investigators. Additionally, the investigator is responsible for technical and informational support, coordinates operational-search activities, organizes the appointment of expert examinations and inspections, prepares the main investigative documents, makes procedural decisions, and personally conducts complex investigative actions."*

The prompt, comprehensive, complete, and timely examination of information received by the internal affairs bodies regarding a committed crime by the investigative-operational group plays a significant role in the swift and full disclosure of the crime.

It should be remembered that an error made during the initial inspection cannot always be corrected during a re-examination. This is because certain traces may change their condition or disappear over time due to external forces and reactions.

Typically, investigative-operational groups are formed in each (district or city) internal affairs body based on daily (or monthly) duty schedules, which are approved by the heads of the investigation, criminal search, prevention, forensic-expert services, and other departments.

Investigative-operational groups are formed based on the following procedural-legal documents:

- At the personal initiative of the heads of internal affairs bodies;
- At the initiative of an investigator and the head of the internal affairs body.

An investigative-operational group is created for a specific (defined) period to carry out a particular task or to conduct a comprehensive, objective, and full investigation of crimes. In

addition, there are investigative-operational groups of a permanent nature. The composition and scale of such groups depend on the scope, timing, and nature of the procedural actions to be carried out.

The formation of an investigative-operational group is reflected in two types of documents:

1. An order (directive) of a territorial internal affairs body head, which has an organizational-administrative nature and establishes the formation and composition of the investigative-operational group;
2. A decision by the head of the investigative authority, which has a procedural nature, concerning the creation of the investigative-operational group.

According to Article 35 of the Criminal Procedure Code of the Republic of Uzbekistan, "Preliminary investigation of a criminal case shall be conducted by investigators of the prosecutor's office, internal affairs bodies, and the state security service."

In practice, in most cases, investigative-operational groups work under the leadership of an investigator at the scene of an incident (although this is not reflected in any legal document). The investigator is responsible for investigating the case, setting timely tasks for cooperating entities, and making full use of the information provided.

Therefore, unlike other participants in the process, the investigator bears greater responsibility for conducting a quality preliminary investigation of the criminal case, collecting evidence, swiftly and fully solving crimes, ensuring fair punishment for those who have committed crimes, and preventing the prosecution and conviction of innocent persons, as well as for exposing the guilty and ensuring proper application of the law.

At this point, it is necessary to define the meaning of some legal terms:

- **Incident** – natural and man-made disasters, accidents, accidents involving people, epidemics, epizootics, fires, missing persons, persons found in need of help, and situations that require pre-investigation checks and investigative actions.

- **Scene of the incident** – a location where a crime or incident has occurred or where traces of them are present.

- **Examination of the scene of the incident** – an investigative action conducted by an authorized official of the pre-investigation body, inquirer, investigator, or judge, aimed at discovering traces of the crime, material evidence, the circumstances in which the incident occurred, and other facts significant to the case.

During the examination of the scene of the incident, participants may include the investigator and members of the investigative-operational group under their leadership (representative of the criminal investigation unit, forensic expert, canine specialist and their service dog, etc.), experts, specialists, and witnesses; a prosecutor may also participate if necessary.

In many cases, it is not common practice to include territorial (senior) prevention inspectors in the investigative-operational group, which is explained by the fact that these inspectors are already performing their daily duties in their service area. However, I believe that including the territorial (senior) prevention inspector—who is well-acquainted with the area—and persons who may recognize the criminal in the group would be advisable for effectively locating the perpetrator.

The procedural status of the investigator, their leadership and organizational role, solving specific tasks of the investigation, establishing the truth in the case, the goal-directed nature of

cooperation, and the coordination of cooperative activities are ensured by proper planning. During the investigation, the tasks and scope of cooperation are clarified and supplemented. However, the range of cooperating entities may change, and new forces and resources may be involved.

Based on the above, if a prosecutor is participating in the scene examination, they may either directly lead the process themselves or delegate leadership to the investigator while maintaining oversight.

In this process, the instructions regarding the forms and content of cooperation between the investigation department officer and the prosecutor are **mandatory for the investigator**. These instructions may also apply to the operative-search service officer and, at the same time, to other members of the investigative-operational group.

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