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## Improvement of Prosecutor's Supervision over the Implementation of Laws in the Field of Prevention of Juvenile Delinquency

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*Djuraeva Anora Zapparovna, PhD*

*Student of Academy of the General Prosecutor's Office*

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### Abstract

This article discusses the foreign experience of prosecutorial supervision over the implementation of laws in the field of prevention of juvenile delinquency, as well as issues of legal regulation in the field of prevention of juvenile delinquency. The author explores effective programs for the prevention of delinquency among juveniles in the CIS countries and the USA. It is concluded that the prevention of offenses committed by juveniles is one of the main directions of state policy and prosecution authorities, respectively.

**Keywords:** prevention, juvenile, offense, prevention programs, foreign experience, classification.

In the conditions of modern development of the world community, one of the important tasks of states is to ensure public safety, an integral element of which is the prevention of offenses, including those committed by juvenile.

According to the Global Organized Crime Index 2021, Asia experienced a high level of crime in 2021 [<sup>i</sup>, c. 58], in this region consisting of 46 states, the average crime rate was 5.30 points out of a 10 point scale. According to the Index, the region is a global hub for human trafficking (sexual exploitation, forced labor/modern slavery, forced begging, organ trafficking and recruitment of child soldiers) with a score of 6.33 out of 10. The vast majority of victims are women and girls.

These statistical data actualize the need for a radical strengthening of prosecutorial supervision over the implementation of legislation in the field of preventing delinquency among juveniles and increasing the effectiveness of crime prevention measures in all countries, including in Uzbekistan.

This article analyzes foreign experience in the legal regulation of prosecutorial supervision over the implementation of laws on the prevention of juvenile delinquency. It should be noted that in many CIS countries, supervision for the enforcement of laws on juveniles and youth is one of the priority areas of prosecutorial activity in all countries where it is carried out [ii, c. 35].

It should be noted that prosecutors carry out their work taking into account the requirements of both international standards in the field of ensuring and protecting the rights of juveniles and the requirements of constitutional acts, laws of general and direct action aimed at observance of human rights and freedoms, and citizen, protection of the interests of juveniles in all areas of activity.[ iii, c. 12]

The analysis of normative documents showed that in foreign law enforcement practice there are two main models of legal regulation of prosecutorial supervision over the implementation of laws on the prevention of neglect and juvenile delinquency, the continental and common law systems.

As part of the study, I would like to note the experience of Belarus in the field of prosecutorial

supervision over the implementation of laws on the prevention of juvenile delinquency, which is carried out within the continental model of the organization and functioning of the prosecutor's office.

The main provisions on the rights of juveniles are enshrined in the Constitution of the Republic of Belarus, as well as in the Law of the Republic of Belarus dated November 19, 1993.

"On the Rights of the Child". In addition, the rights of juveniles in the sphere of civil, family, labor relations are regulated by special norms of civil, family and labor law, respectively. Organization of the work of the prosecutor's office of Belarus to supervise the implementation of laws about juveniles in various parts of the prosecutor's office has some features. It should be noted that prosecutorial supervision over the implementation of legislation on juveniles is an independent branch of supervision.

Legislative acts of the Republic of Belarus, primarily the Criminal Code, Code of Criminal Procedure, Civil Code, Code of Civil Procedure, Labor Code, specifically allocate sections regulating the special situation of children and juveniles, special protection of their rights and interests both in the investigation and judicial review of cases with their participation or affecting their interests, and when considering family, inheritance, housing and labor issues.

General Prosecutor of the Republic of Belarus September 22, 2010 issued order No. 52 "On the organization of prosecutorial supervision over the implementation of legislation about juveniles and youth"[<sup>iv</sup>, p. 37] obliging prosecutors to pay attention to the need to ensure the rule of law in all areas of prosecutorial supervision: in the supervision of the investigation, in participation in the consideration of cases by the courts and supervision for the legality of judicial decisions; in the supervision of compliance with the law in places of deprivation of liberty and in institutions executing punishment not related to with imprisonment, and especially when exercising supervision during inspections of the implementation of laws on juveniles.

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Legal regulation of prosecutorial supervision over the implementation of laws on the prevention of neglect and juvenile delinquency in the Russian Federation is also carried out within the framework of the continental model of organization and the functioning of the prosecutor's office. [ v, c. 226-231]

In the sectoral legislation and orders of the Prosecutor General of the Russian Federation, there is a special significance for the prosecutor's office of the implementation of tasks to protect the rights of juveniles, which underlies the policy of the Russian Federation, which is aimed at protecting such institutions as the family, motherhood and childhood.[ vi, c. 36] The above indicates how important prosecutorial supervision is in this direction and that it is very important to correctly determine its legal regulation in order to properly organize the work of prosecutors.

In the Russian Federation, a two-level (federal and regional) system of acts regulating relations in this area. The first group of normative legal acts defines general issues that are related to the organization and supervisory activities of the prosecutor's office, in particular, how the norms of the legislation on the prevention of neglect and juvenile delinquency are implemented. [ vii, ct. 52]

An important role in the organization of prosecutorial supervision over how laws on the prevention of neglect and juvenile delinquency are implemented is assigned to the system of instructions and orders of the Prosecutor General of the Russian Federation. So, by Order of the Prosecutor General of the Russian Federation of December 13, 2021 N 744 "On the organization of prosecutorial supervision over the implementation of legislation on juveniles, compliance their rights and legitimate interests" it is determined that the primary task of the prosecutor's bodies is to prevent violations of the rights of children, harm to them, the prevention of crimes among adolescents [viii].

Prosecutorial authorities are instructed to exercise effective proactive supervision over the implementation of laws in the investigation of criminal cases, receiving, registering and resolving reports of crimes committed by juveniles and in relation to them.

The order draws attention to the fact that they must promptly take measures to restore the violated rights of juveniles, compensate for material damage and compensation for moral damage.

As a positive experience in organizing prosecutorial work in the field of ensuring the legitimate rights and interests of juveniles, an example should be given from the activities of the Prosecutor's Office of the Chuvash Republic, where an open forum was held on the protection of the rights and interests of juveniles, which was attended by heads of executive authorities, representatives of public organizations and funds mass media. [ ix, c. 79]

The adoption in the Russian Federation of such important documents as the Concept of the State Family Policy in the Russian Federation, the Concept of the Demographic Policy of the Russian Federation for the period up to 2025, the Strategy for the Development of Education in the Russian Federation for the period up to 2025, the Concept of Information Security of Children, are a guideline for organizing the prosecution activities in this area. [ x, c. 36]

Analytical support of the activities of the prosecutor's office in the field of observance of the rights of juveniles is an important component of the organization of its work. [ xi, c. 35]

Legal regulation of prosecutorial supervision over the implementation of laws

on the prevention of neglect and juvenile delinquency in the United States is carried out within the framework of the common law system, where comprehensive multi-stage programs (local) aimed at the prevention of delinquency in a certain territory have become widespread, which, along with police activities, include social and economic activities: general social prevention, economic rehabilitation territories, increased social control, etc.

As a rule, such programs are built on the same principles: in the USA there are programs "Clean and Sow" ("Weed & Seed"), in the UK - "Safe City". [ xii, c. 4]

The program is directed and coordinated by the federal prosecutor, who organizes a working committee that oversees and manages the program. It is based on a two-pronged approach – crime control and crime prevention.

The "Weed & Seed" programs are initiated by the federal agency - the US Department of Justice, and are an innovative, comprehensive, interagency approach to solving the problems of crime prevention and community improvement. [ xiii, c. 4]

The program is based on four fundamental principles: cooperation, coordination, efforts of the population, pooling of resources.

On the basis of federal and municipal programs, the prosecution authorities assist specially authorized bodies in the implementation of the prevention of delinquency among juveniles and youth through the involvement of both civil society institutions and volunteer formations.

Foreign countries, when organizing a system for the prevention and prevention of delinquency among juveniles, are guided primarily by on the consistency and complexity of the measures taken to combat crime.

The basis of crime prevention is the inclusion of the idea of prevention into national policy through various forms and methods of preventive work with juveniles.

In foreign law enforcement practice, the model of situational prevention of offenses among juveniles is becoming increasingly important.

Preventive measures for situational prevention of offenses among juveniles are carried out through:

improving street infrastructure, creating favorable living conditions;

applying special identification marks to potential objects of criminal encroachment, allowing them to be identified in case of theft, breakage or destruction;

development of social skills of juveniles through social, educational, training and health programs that allow

them to develop resistance to offenses;

providing support to socially vulnerable categories of juveniles, providing them with the necessary knowledge, skills and alternatives to illegal behavior”.

Regarding the improvement of prosecutorial supervision over the implementation of laws in the field of prevention of juvenile delinquency, we note that the analysis showed in Uzbekistan the improvement of prosecutorial supervision over the implementation of laws in the field of prevention of juvenile delinquency is feasible, taking into account the basic requirements of international legal standards, as well as on the basis of positive foreign experience in this area.

Taking into account the experience of the Russian Federation, Kazakhstan, Kyrgyzstan, Belarus, as well as the USA, Germany, France and other states in the framework of the activities of prevention subjects and the implementation of preventive measures by interdepartmental commissions on juvenile affairs, it is noted that the functional responsibilities of the interdepartmental commission need to be expanded, in this regard, we propose to expand the main tasks specified in Article 20 of the Law of the Coordinating Councils for the Prevention of Offenses[xiv] by studying the practice of detecting, investigating, and preventing offenses , cause analysis and conditions conducive to systemic deficiencies..

The juvenile delinquency prevention system can be optimized through the introduction of the following four main areas of delinquency prevention used in foreign countries:

**Prevention of offenses through social development** [xv, c. 4] is aimed at developing the social skills of children and families that will allow them to develop resistance to delinquency.

**Crime prevention within communities** aimed at to areas with an unfavorable criminogenic situation and an increased risk of committing offenses. [ xvi, c.170]

**Situational prevention of offenses** [xvii, c.12] aimed at reducing the opportunities for committing offenses, increasing the risk for offenders to be caught, as well as reducing the benefits from committing offenses.

Crime prevention through reintegration programs [xviii, c. 83] aimed at supporting persons serving sentences and returning from places of deprivation of liberty and are aimed at reducing the risk of recidivism.

The dissertation notes that preventive activities by subjects of prevention are carried out in accordance with the basic principles of delimitation of competence between participants in interdepartmental interaction and the elimination of duplication of procedures for collecting and processing information on juvenile children and their families in a dangerous social situation.

In order to improve the national legal framework for crime prevention based on international standards and taking into account modern trends in foreign law enforcement practice on the implementation of the prevention of offenses, including those committed by juveniles.

Modern prosecutorial practice demonstrates the strengthening of the preventive focus of “general supervisory” activities, which is due to the highest mobility of modern legal relations, including those related to violations of laws. As part of the study of the problems of the sufficiency of powers of prosecutors and competencies of the prosecutor's office in the implementation of supervision over the implementation of laws in the field of prevention of offenses among juveniles and the role of the prosecutor's office of prosecutorial supervision over the implementation of laws.

Legal regulation of prosecutorial supervision over the implementation of laws on the prevention of neglect and juvenile delinquency in foreign countries is carried out within the framework of the continental model, where the main role is played by the prosecutor's office and the model of common law countries, where the main role is played by the police and specially authorized bodies. The prosecution authorities carry out either coordination of the activities of all involved state bodies, civil institutions or assistance in and involvement in activities on the prevention of neglect and the prevention of delinquency among juveniles and youth.

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