

REHABILITATION IN CRIMINAL PROCEDURE: INTERNATIONAL STANDARDS AND NATIONAL LEGISLATION

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Annotatsiya: *Mazkur maqolada jinoyat protsessida rehabilitatsiya institutining huquqiy mohiyati, xalqaro standartlari va milliy qonunchilikdagi o'рни tahlil qilinadi. Rehabilitatsiya shaxsning noqonuniy yoki asossiz jinoiy ta'qib oqibatida buzilgan huquq va erkinliklarini tiklashning muhim kafolati sifatida yoritiladi. Xalqaro huquq normalari va O'zbekiston qonunchiligi misolida rehabilitatsiya mexanizmlarini takomillashtirish masalalari ko'rib chiqiladi.*

Kalit so'zlar: *jinoyat protsessi, rehabilitatsiya, inson huquqlari, adolatli sudlov, xalqaro standartlar, milliy qonunchilik, kompensatsiya*

Аннотация: *В статье рассматривается институт реабилитации в уголовном процессе, его международно-правовые стандарты и особенности регулирования в национальном законодательстве. Реабилитация анализируется как важная гарантия восстановления прав и свобод лиц, незаконно или необоснованно подвергшихся уголовному преследованию. Особое внимание уделяется соотношению международных норм и национальной практики.*

Ключевые слова: *уголовный процесс, реабилитация, права человека, справедливое правосудие, международные стандарты, национальное законодательство, компенсация*

Abstract: *This article examines the institution of rehabilitation in criminal procedure, focusing on its international legal standards and regulation under national legislation. Rehabilitation is analyzed as a key guarantee for restoring the rights and freedoms of individuals unlawfully or unjustifiably subjected to criminal prosecution. The study highlights the importance of aligning national legal mechanisms with international human rights standards to ensure effective protection and restoration of justice.*

Keywords: *criminal procedure, rehabilitation, human rights, fair trial, international standards, national legislation, compensation*

INTRODUCTION

In modern legal systems, the principle of justice in criminal proceedings is inseparably linked with the protection of human rights and the prevention of unlawful prosecution. One of the key legal mechanisms ensuring the restoration of justice is the institution of rehabilitation. Rehabilitation in criminal procedure serves as a fundamental guarantee for individuals who have been unlawfully or unjustifiably subjected to criminal prosecution, detention, conviction, or other procedural coercive measures.

In the context of the rule of law, rehabilitation is not merely a procedural formality but a manifestation of state responsibility for judicial errors and abuses of power.

The importance of rehabilitation has significantly increased due to the development of international human rights standards and the growing role of supranational judicial bodies.

This article examines the concept of rehabilitation in criminal procedure through the prism of international legal standards and analyzes its implementation in national legislation, with particular attention to the experience of Uzbekistan.

1. Concept and Legal Nature of Rehabilitation in Criminal Procedure

Rehabilitation in criminal procedure refers to the restoration of the rights, freedoms, reputation, and legal status of a person who has been unlawfully or unjustifiably subjected to criminal prosecution. It includes compensation for material and moral damage, restoration of honor and dignity, and elimination of legal consequences arising from unlawful procedural decisions.

From a legal perspective, rehabilitation is closely connected with the presumption of innocence. An individual acquitted by a court or whose criminal case has been terminated on rehabilitating grounds must be considered innocent, and the state is obliged to fully restore their rights. Thus, rehabilitation serves both compensatory and preventive functions: it remedies past injustice and discourages future violations by law enforcement authorities.

2. International Legal Standards of Rehabilitation

International human rights instruments establish clear standards regarding the right to rehabilitation. Article 14(6) of the International Covenant on Civil and Political Rights (ICCPR) provides that when a person has been convicted by a final decision and subsequently exonerated, they shall be compensated according to law. Similarly, Article 3 of Protocol No. 7 to the European Convention on Human Rights guarantees compensation in cases of miscarriage of justice.

The jurisprudence of the European Court of Human Rights (ECtHR) plays a crucial role in shaping the content of rehabilitation standards. The Court emphasizes that rehabilitation must be effective, adequate, and accessible. It includes not only financial compensation but also moral satisfaction and public acknowledgment of innocence.

These international standards require states to establish clear procedural mechanisms for rehabilitation, ensure judicial oversight, and eliminate excessive bureaucratic barriers. Rehabilitation is thus recognized as an integral element of fair trial guarantees and effective legal protection.

3. Rehabilitation in National Criminal Procedure Legislation

In national legal systems, rehabilitation is regulated through criminal procedure codes and related legislative acts. The scope and effectiveness of rehabilitation largely depend on how clearly rehabilitating grounds are defined and how efficiently compensation mechanisms function.

In the Republic of Uzbekistan, rehabilitation is enshrined in criminal procedural legislation as a legal consequence of acquittal or termination of criminal proceedings on rehabilitating grounds. National law provides for the restoration of violated rights, compensation for property damage, and redress for moral harm caused by unlawful criminal prosecution.

Recent legal reforms in Uzbekistan, carried out within the framework of the “New Uzbekistan” Development Strategy, aim to strengthen judicial independence, enhance procedural guarantees, and expand the practical implementation of rehabilitation rights. These reforms demonstrate the state’s commitment to aligning national legislation with international human rights standards.

4. Challenges and Prospects for Improving the Rehabilitation Institution

Despite significant progress, several challenges remain in the practical implementation of rehabilitation. These include difficulties in proving the amount of damage, delays in compensation payments, and insufficient awareness of rehabilitated persons about their rights.

To enhance the effectiveness of rehabilitation, it is necessary to simplify procedural mechanisms, strengthen judicial control over compensation processes, and improve legal education and awareness. Additionally, adopting best international practices and ECtHR standards can contribute to the development of a more effective rehabilitation system.

Conclusion

Rehabilitation in criminal procedure is a vital legal institution that ensures the restoration of justice, protection of human rights, and accountability of the state for unlawful prosecution. International legal standards establish rehabilitation as an essential component of the right to a fair trial, while national legislation plays a decisive role in its practical realization.

The experience of Uzbekistan illustrates a gradual but consistent movement toward strengthening rehabilitation mechanisms in line with global legal standards. In modern conditions, rehabilitation should be understood not only as compensation for harm but also as a comprehensive system aimed at restoring human dignity, public trust in justice, and the legitimacy of the legal system as a whole.

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