



ECONOMIC PROCESS: TASKS, FUNCTIONS, PROCEDURAL FORM

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Abstract

This article explores the key objectives of the economic process, including ensuring the legality, fairness, and effective resolution of economic disputes, restoring the violated rights of business participants, and preventing offenses in business and other economic activities. Particular attention is paid to examining the functions of the economic process, including its regulatory, protective, and preventive aspects, as well as their relationship with the principles of justice and substantive economic law.

Keywords: Economic process, economic litigation, procedural form, objectives, functions.

Introduction

The term "economic process" is used quite broadly and in various contexts in modern economics, leading to the lack of a single, unambiguous definition. Various authors explore this concept through the prism of production, distribution, exchange, and consumption, as well as through the interaction of economic actors and institutions¹. This diversity of approaches is due to differences in the methodological foundations of research and the complexity of the economic system itself, which is characterized by dynamism and multi-layeredness.

The relevance of examining the essence of the economic process stems from the need for a deeper understanding of the economic functioning patterns in a

¹ Babakulovna I. F., Bahodirovna A. K. Ibratova FB, Abdullaeva Kh. B. Third parties in economic proceedings: theory and practice //Editorial team. – 2016. – №. 12. – C. 7-11.



constantly changing external environment. Of particular importance is identifying its key tasks and functions, as well as analyzing the procedural form in which economic relations are realized. This allows not only for the systematization of theoretical concepts but also for the creation of a foundation for the practical application of acquired knowledge².

In this regard, the purpose of this work is to consider the economic process as a complex phenomenon, including a set of interconnected stages and elements, as well as to reveal its tasks, functions and procedural form within the framework of modern economic theory.

The Economic Procedural Code of the Republic of Uzbekistan defines the structure of legislation in the field of economic proceedings, including the code itself and other normative legal acts governing the procedure for considering cases in order and claim proceedings, as well as cases of certain categories.

The key objectives of economic litigation are: ensuring judicial protection of violated or disputed rights and legitimate interests of business entities (enterprises, institutions, organizations) and citizens in the economic sphere; strengthening the rule of law through the effective resolution of economic disputes; preventing offenses; and fostering sustainable respect for the law and the judicial system³.

The Code enshrines the principle of accessibility of justice, granting every interested party the right to appeal to an economic court for the protection of their rights and legitimate interests in accordance with the established procedural procedure.

An appeal to the Economic Court is filed in the established procedural form depending on the case category: as a statement of claim for disputes arising from civil legal relations; as an application for cases involving summary proceedings and other categories stipulated by the Economic Procedural Code of the Republic of Uzbekistan; and as a complaint (protest) for review of judicial decisions in appellate, cassation, and supervisory instances. Appeals and accompanying documents may be submitted in either written or electronic form.

² Пигорев И. Я., Михеев С. С. Экономический процесс как основа формирования экономической системы //Проблемы региональной экономики. – 2010. – №. 11. – С. 3-10.

³ Babakulovna I. F., Bahodirovna A. K. Ibratova FB, Abdullaeva Kh. B. Third parties in economic proceedings: theory and practice //Editorial team. – 2016. – №. 12. – С. 7-11.



A business case can be prepared electronically. In this case, parties to the proceedings have the right to submit documents to the court electronically, certified with an electronic digital signature⁴.

Written documents are converted into electronic form by the court and added to the case file, after which they are returned to the parties who submitted them. Judicial decisions are signed with the electronic digital signature of the judge(s), while court hearing minutes and procedural actions are signed by the presiding judge and secretary.

The transfer of case materials to another court or authorized body is carried out via telecommunication channels⁵.

The court issues judicial acts in the form of decisions, rulings, orders, and writs. In the court of first instance, a decision is made based on the merits of the case. Appellate and cassation courts issue rulings based on the consideration of appeals and cassation complaints (protests). A ruling is issued based on the consideration of an administrative offense case within the jurisdiction of the courts by law⁶. Following the review of a creditor's application for undisputed claims, the court issues a court order. Court decisions that do not resolve the case on the merits are issued in the form of rulings. Court decisions can be generated as electronic documents using an information system.

An important feature of economic litigation in the Republic of Uzbekistan is the differentiation of procedural forms depending on the nature and complexity of the cases being heard. Legislation provides for simplified procedures, in particular, summary proceedings, which are used in cases of undisputed claims, allowing for the expeditious consideration of cases without a full trial. Meanwhile, claim proceedings are used in cases of legal disputes and presuppose the full implementation of the principles of adversarial proceedings and equality of the parties. This differentiation of procedural mechanisms is aimed at improving the effectiveness of justice, reducing the time required to consider cases, and reducing the procedural burden on the courts.

Economic proceedings are conducted in Uzbek, Karakalpak, or the language of the majority of the local population. Participants in the trial who do not speak the

⁴ Бияков О. А. Экономический процесс: сущность, анализ и синтез понятия //Вестник Кузбасского государственного технического университета. – 2004. – №. 1. – С. 82-88.

⁵ Осипов Ю. М. Экономический процесс //Философия хозяйства. – 2006. – №. 5. – С. 185-190.

⁶ Babakulovna I. F., Bahodirovna A. K. Ibratova FB, Abdullaeva Kh. B. Third parties in economic proceedings: theory and practice //Editorial team. – 2016. – №. 12. – С. 7-11.



language of the proceedings are guaranteed the right to review the case materials, participate in court proceedings through an interpreter, and speak in court in their native language or a freely chosen language of communication. Judicial decisions issued during the trial are drawn up in the same language in which the court hearing was conducted⁷.

Cases in economic courts are heard in public. Closed-door hearings are permitted when necessary to protect state, commercial, or other legally protected secrets. Closed-door hearings via videoconference are not permitted, and audio or video recording of such hearings is not permitted. Electronic file formatting is not permitted during closed-door hearings. A ruling is issued regarding closed-door hearings. The court's decision is always announced publicly. Final judicial decisions are published on the court's official website with the consent of the parties or with anonymization, with the exception of judicial decisions rendered in closed court.

In conclusion, it should be noted that economic litigation in the Republic of Uzbekistan represents a systematically organized and normatively regulated mechanism for the judicial protection of the rights and legitimate interests of economic participants. Its development is aimed at ensuring the effectiveness of justice, increasing the accessibility of judicial protection, and adapting procedural forms to modern conditions, including the digitalization of judicial proceedings. Differentiating types of proceedings, introducing electronic document management, and clearly regulating procedural procedures facilitate expedited case processing and strengthen legal certainty in the economic sphere. Overall, economic litigation serves as an important tool for ensuring the rule of law, the stability of economic activity, and the protection of the rights of business entities.

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⁷ Babakulovna I. F. et al. Legal Issues Representation in Court on Economic Cases //American Journal of Pedagogical and Educational Research. – 2024. – Т. 22. – С. 50-54.



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