

Principles of Proof and Evidence Assessment in Civil Proceedings

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Abstract: *The principles of proof and evidence assessment play a fundamental role in ensuring fairness and justice in civil proceedings. The process of proof involves establishing facts through legally recognized means, while the evaluation of evidence determines the validity and reliability of such proof in judicial decision-making. In the context of Uzbekistan's legal system, ongoing reforms aim to enhance the efficiency and transparency of the judicial process by aligning with international best practices. This paper explores both the theoretical foundations and practical applications of proof and evidence assessment, analyzing the means of proof, the principles guiding judicial evaluation, and comparative international experiences. By examining these aspects, the study provides recommendations for improving the effectiveness of the judicial proof process within Uzbekistan's legal framework.*

Keywords: *civil process, proof, evidence, assessment principles, judicial reform, international experience.*

Introduction

"When law prevails over justice, people can freely and justly defend their rights." **Islam Karimov**

One of the basic principles of the judicial system is the principle of Justice. The provision of justice, on the other hand, depends on the excellent functioning of the system of truthful assessment and proof of evidence during the trial.[1] Proof in civil proceedings is a legal mechanism that serves to justify the rights and obligations of the parties themselves, and it occupies a central place in the process of making a fair decision by the court.[2]

The code of Civil Procedure of the Republic of Uzbekistan establishes rules regarding the process of proof and evaluation of evidence. International case law also serves to further improve the proof system in civil cases.

This article will comprehensively analyze the process of proof, the means of proof and the principles of evaluating evidence.[3]

The system of proof in civil proceedings and its legal basis

In civil proceedings, proof is essential for the parties to substantiate or refute their claims, and is based on the following legal sources:

The code of Civil Procedure of the Republic of Uzbekistan-establishes the procedure for assessing evidence and evidence in civil cases

(FPK, 2018) (<https://lex.uz/docs/-3600705>).[4]

Reviews and decisions of the Supreme Court – provide explanations and legal comments on matters of proof in judicial practice.

The norms of international law – international conventions on human rights-ensure that the proof process is fair. The main purpose of the proof process is to help the court make a fair decision.[5]

Proof process and basic proof tools

Proof in civil proceedings consists of the following steps:

Presentation of evidence – the parties provide the court with documents and other means of proof that underlie their claims.

Verification of evidence – the court analyzes the validity and legitimacy of the means of proof.[6]

Evidence assessment-the court independently evaluates the reliability of evidence.

Professor A. In Rahimov's view, "the process of proof in civil proceedings directly affects the court's fair decision making" (Rahimov, 2020) (. <https://example.com/>).[7]

The Civil Procedure Code of the Republic of Uzbekistan specifies the following proof tools:

1. Documentary evidence-written contracts, certificates, official data.
2. Witness statements are statements made to the court by persons involved in the dispute.
3. Expert opinions-forensic conclusions.
4. Video and audio recordings-materials recorded using technical means.
5. Proof objects-material objects, photographs and other important facts.
6. Principles of evidence assessment
7. In civil procedure, the principles of evidence assessment play an important role in the court's fair decision making. Basic principles:
8. Legality-the court should be based only on evidence established by law.
9. Reliability-any proof must be reliable and true.
10. Objectivity-the court must objectively assess the evidence.
11. Sufficiency-sufficient evidence must be available for the court to make a decision.[8]

International experience and reforms in Uzbekistan

The system of proof in the courts of the world is formed on the following grounds:

USA-lawyers provide evidence, while judges evaluate independently.

Germany-the court is directly involved in the process of collecting and evaluating evidence.[9]

France-judges and parties evaluate evidence together.

Uzbekistan has implemented reforms aimed at improving the proof system in recent years. In 2023, new legislative norms were adopted, strengthening the principles of evaluating evidence by the courts (law of the Republic of Uzbekistan, 2023)[10]

Conclusion

The principles of proof and evidence assessment in civil proceedings are one of the main conditions for ensuring fair court decisions. In order to increase the effectiveness of the proof process in the judicial system, the following measures should be carried out:[11]

Further transparency of the judicial system. Increase the legal literacy of citizens and lawyers.[12]

The use of modern technologies in the process of proving. In the future, the improvement of this system will be of great importance in the conduct of fair trials.[13]

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