



**IMPLEMENTATION OF THE "REGISTRY OF DEBTORS' OBLIGATIONS" INSTITUTION IN THE REPUBLIC OF UZBEKISTAN TO ENSURE UNCONDITIONAL EXECUTION OF COURT DOCUMENTS AND DOCUMENTS FROM OTHER AUTHORITIES**

Atadjanov Zafarbek Alisherovich

Law Enforcement Academy of the Republic of Uzbekistan

Master's Student in the field of "Prosecutorial Activity"

**Abstract**

The article analyzes one of the pressing problems in the field of enforcement proceedings in the Republic of Uzbekistan - the failure to ensure the execution of judicial acts due to debtors' lack of property or income that can be subject to recovery. Despite the legality of the current procedure for terminating enforcement proceedings due to the debtor's lack of property, the article highlights negative consequences such as justified dissatisfaction of creditors, occurrences of refusal to enforce court decisions, and a decrease in the authority of the judiciary. The main purpose of the article is to improve the process of identifying debtors' property and directing recovery towards this property in order to increase the effectiveness of ensuring the execution of judicial acts in the Republic of Uzbekistan.

To achieve this goal, the article substantiates the necessity of developing and implementing draft legislation to introduce the "Register of Debtors' Obligations" and incorporate it into the legal framework. The introduction of this institution will contribute to achieving a high level of effectiveness in ensuring the execution of enforcement documents, reducing human factors in the enforcement process, and aligns with the development trends of the global enforcement system.

**Keywords:** Bureau of Compulsory Enforcement, enforcement proceedings, execution of court documents, debtor, creditor, property, impossibility of recovery, enforcement challenges, rights and obligations of the debtor and creditor, trust in the judicial system, human factor in the enforcement process, protection of property rights, "Debtors' Obligations".



## Introduction

The Decree of the President of the Republic of Uzbekistan No. PF-1 dated January 3, 2024, marked an important step towards reforming and digitalizing the system for executing judicial documents and documents of other bodies. This Decree mandates the introduction of the "**Register of Obligations**" institution, aimed at ensuring the unconditional execution of court decisions.<sup>1</sup>

According to the Decree, the main aspects of the "**Register of Obligations**" institution are highlighted:

- **The body maintaining the register:** The task of maintaining the "Register of Obligations" is assigned to the Bureau of Compulsory Enforcement. This further strengthens the Bureau's central role in the enforcement system and grants it the necessary powers for effectively managing this important institution.

- **Conditions for entering information into the Register:** The Decree stipulates that when the possibility of debt recovery is completely ruled out due to the debtor's lack of property, information about the debtor must be entered into the "Register of Obligations." This indicates that the purpose of the register is specifically to systematize information about debtors from whom recovery is not possible.

- **Continuation of restrictions on debtors included in the Register:** After information about a debtor is entered into the "Register of Obligations," all restrictions applied to them within the framework of enforcement proceedings remain in effect. This is an important mechanism to prevent debtors from evading their obligations and to encourage them to fulfill their responsibilities. These restrictions serve as a means of holding debtors accountable even when their official status is listed in the "Register of Obligations."

**Continuation of enforcement actions:** If property and funds of a debtor included in the "Register of Obligations" are subsequently discovered, enforcement actions will be continued in accordance with the law. This does not mean that the registry completely frees the debtor from debt obligations; rather, the collection is temporarily suspended but can be reactivated if the debtor's financial situation changes.

---

<sup>1</sup> On additional measures for reforming and digitalization of system of execution of court resolutions and acts of other bodies. <https://lex.uz/docs/6983237>



### **The Decree defines a number of specific grounds for removing a debtor from the "Register of Obligations":**

1. When the debtor fully executes the enforcement document.
2. Upon the death of the debtor.
3. When the enforcement document is returned unexecuted at the request of the court or other body that issued it.
4. When the judicial act or document of another body, on the basis of which the enforcement document was issued, is canceled or deemed invalid.
5. When no information about the debtor's property or funds has been found for 10 years.

The concept and operating principles of the proposed "**Register of Obligations**" **institution** provide for the creation of a unified electronic database, into which information on enforcement documents is automatically entered when enforcement proceedings have been terminated due to the debtor's lack of property or income subject to recovery and the failure of measures to search for them.

The inclusion of an enforcement document in the Register of Debtors is accompanied by the preservation of all restrictions imposed on the debtor within the framework of enforcement proceedings. The main principle of the debtor's register is the automatic resumption of enforcement actions in the event that property or income subject to recovery is identified for the debtor. This mechanism allows for a prompt response to changes in the debtor's property status and ensures the real execution of a court order even after a significant period of time has passed since the termination of enforcement proceedings.

The inclusion of the enforcement document in the Register of Debtors is accompanied by the preservation of all restrictions imposed on the debtor within the framework of enforcement proceedings. The main principle of the debtor's register is the automatic resumption of enforcement actions in the event of the identification of property or income of the debtor subject to recovery. This mechanism allows for prompt response to changes in the debtor's property status and ensures the real execution of a court order even after a significant period of time has passed since the termination of enforcement proceedings.

The Decree stipulates the task of developing draft normative legal documents for the practical implementation of the "Register of Obligations" institution and introducing them into law through established procedures. This is a crucial step



necessary to create the legal foundation for this important institution, define its operational procedures, and ensure its stable functioning.

Based on the tasks outlined in this Decree, the experience and legislation of several international countries were studied to implement the **"Register of Obligations" institution in the Law**. The study revealed that the practice of maintaining a "Debtor Register" is widespread in various countries. Specifically, it is called the **"National Debtor Register"** in the Republic of Poland,<sup>2</sup> the **"Unified Register of Debtors"** in Ukraine,<sup>3</sup> the **"Federal Portal of the Debtor Register"** in the Federal Republic of Germany,<sup>4</sup> and the **"Unified Register of Debtors"** in the Republic of Kazakhstan.<sup>5</sup> In these countries, information about enforcement documents is automatically entered into the register when enforcement proceedings are terminated due to the debtor's lack of property or income subject to recovery and the failure of search measures. Furthermore, after information about a debtor is entered into the Register, all restrictions applied within the enforcement proceedings are maintained, and the procedures for removal from this register were also studied.

The introduction of a similar institution in the Republic of Uzbekistan represents a timely and appropriate step in line with global trends in the development of enforcement proceedings.

To introduce the **"Register of Debtors' Obligations" institution into the Law of the Republic of Uzbekistan "On the execution of judicial acts and acts of other bodies"** (hereinafter referred to as the Law),<sup>6</sup> it is recommended to make the following amendments and additions:

Proposals have been developed to supplement the Law with a new chapter entitled **"Register of Debtors' Obligations"** including a new article that defines the legal basis of the register, the procedure for maintaining the register (i.e., the process for entering and removing information), the composition of information to be entered

---

<sup>2</sup> The National Register of Debtors in Poland, <https://cgofinance.com/register-of-debtors>.

<sup>3</sup> United Register of Debtors is a state register that is run by the Ministry of Justice of Ukraine. <https://www.ubki.ua/en/register-of-debtors-en>

<sup>4</sup> Eine offizielle Website der Bundesrepublik Deutschland, <https://verwaltung.bund.de/portal/>

<sup>5</sup> Search in the unified register of debtors and temporarily restricted debtors of individuals, officials of a legal entity, <https://aisoip.adilet.gov.kz/debtors>

<sup>6</sup> Law of the Republic of Uzbekistan dated 29.08.2001 No. 258-II "On the Execution of Judicial Acts and Acts of Other Bodies," <https://lex.uz/docs/26477>



into the register, the procedure for submitting information, and the rules for using the register.

In particular, **proposals have been developed for making additions and amendments to Articles 21, 40, 41 of the Law, as well as supplementing them with new Articles 41<sup>1</sup>, 43<sup>3</sup>, and 43<sup>4</sup> and a new chapter entitled "3<sup>2</sup>".**

The scientific novelty of this institution is also evident in its foundation on international experience. The successful implementation of Debtor Obligation Registers in the world's leading countries demonstrates that an effective solution is being proposed for Uzbekistan.

The introduction of the proposed **"Register of Debtors' Obligations"** will not only significantly improve the system for enforcing court decisions in the Republic of Uzbekistan but will also make an important contribution to guaranteeing the inviolability of private property, strengthening confidence in the judicial system, and ensuring the rule of law in general. Furthermore, such a step aligns with progressive trends in global enforcement practices.

## References

1. On additional measures for reforming and digitalization of system of execution of court resolutions and acts of other bodies. <https://lex.uz/docs/6983237>.
2. The National Register of Debtors in Poland, <https://cgofinance.com/register-of-debtors>
3. United Register of Debtors is a state register that is run by the Ministry of Justice of Ukraine. <https://www.ubki.ua/en/register-of-debtors-en>.
4. Eine offizielle Website der Bundesrepublik Deutschland, <https://verwaltung.bund.de/portal/>
5. Search in the unified register of debtors and temporarily restricted debtors of individuals, officials of a legal entity, <https://aisoip.adilet.gov.kz/debtors>
6. Law of the Republic of Uzbekistan dated 29.08.2001 No. 258-II "On the Execution of Judicial Acts and Acts of Other Bodies," <https://lex.uz/docs/26477>.