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# IMPLEMENTATION OF THE ELECTRONIC CRIMINAL CASE INTO THE CRIMINAL PROCESS OF UZBEKISTAN: PROSPECTS AND CHALLENGES

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## Abstract

This article is dedicated to analyzing the process of implementing the electronic criminal case into the criminal procedure of Uzbekistan, its prospects, and the challenges that arise. It examines the main objectives and expected benefits of transitioning to a digital system for processing criminal cases, including accelerating the case review process, enhancing the transparency of judicial proceedings, and improving information accessibility for process participants.

**Keywords:** Electronic criminal case, criminal process, digitalization of judicial proceedings, cybersecurity, transparency of judicial proceedings.

## Introduction

In recent years, the Republic of Uzbekistan has pursued a comprehensive reform agenda aimed at modernizing its legal and judicial framework in line with contemporary standards of good governance and the rule of law. Central to this transformation is the enhancement of transparency, procedural efficiency, and effective access to justice. Within this broader reform context, the gradual introduction of electronic criminal case files into the system of criminal procedure represents a strategically significant development. The transition to digital case management is intended to streamline procedural workflows, reduce excessive formalism and bureaucratic delays, and ensure a more timely and consistent administration of criminal justice.



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An electronic criminal case file may be defined as an integrated digital platform designed for the creation, processing, storage, and management of procedural information generated in the course of criminal proceedings. It functions as a secure electronic repository containing the full set of case-related materials, including indictments, procedural motions, records of investigative actions, witness statements, expert opinions, judicial rulings, judgments, and other legally relevant documents. By consolidating these materials within a unified digital environment, the system enhances the integrity, traceability, and structured organization of procedural data.

The implementation of electronic case files fundamentally transforms the interaction between the court, the prosecution, and the defense. Authorized participants are granted regulated electronic access to case materials through secure authentication mechanisms, which significantly reduces the time required for ознакомление with documents and procedural exchanges. As a result, document circulation becomes more predictable, standardized, and transparent, thereby facilitating the prompt resolution of procedural issues and strengthening adversarial equality between the parties.

A key institutional advantage of the electronic format lies in its capacity to ensure remote participation in certain procedural activities. Subject to appropriate safeguards, parties may review case materials, submit motions, receive procedural notifications, and, where permitted by law, engage in specific procedural actions without the need for physical presence at court premises or investigative offices. This contributes not only to procedural economy and cost efficiency, but also to the broader objective of increasing the openness and public accountability of criminal adjudication. In this sense, digitalization is not merely a technical innovation but a structural reform that redefines the organizational architecture of criminal proceedings in accordance with the principles of accessibility, proportionality, and legal certainty.

Moreover, the introduction of electronic criminal case files promotes environmental sustainability and resource efficiency by reducing reliance on paper-based documentation. It also mitigates the risk of loss or damage to important documents, ensuring their reliable and long-term preservation in digital form.



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In many foreign jurisdictions, the implementation of electronic criminal case management systems has already yielded tangible improvements in the efficiency and accessibility of judicial services. For example, at the federal level in the United States, two such systems operate: Case Management / Electronic Case Files (CM/ECF) and Public Access to Court Electronic Records (PACER). The automated CM/ECF system was introduced in federal districts in 2004 and represents the largest continuous and integrated case management and electronic filing system in the world. It was developed by a specialized team of highly qualified programmers, system analysts, computer specialists, and other IT professionals working within the Administrative Office of the United States Courts (AOUSC), the agency responsible for administrative and managerial support of the federal judiciary.

Electronic criminal case systems are also used in other countries, including Canada, the United Kingdom, Germany, Switzerland, Australia, and Japan. These systems not only simplify access to judicial materials but also significantly accelerate case processing by minimizing the time and resources expended on paper-based administration.

In 2018, Uzbekistan took a significant step toward the digitalization of its judicial system by launching a pilot project on the introduction of electronic criminal case files in the Yakkasaray and Mirabad districts of Tashkent. During the pilot phase, documentation was processed in both electronic and paper formats, ensuring reliability and accessibility of information. An analysis of the pilot results demonstrated substantial improvements in judicial processes attributable to the introduction of electronic document management. In particular, enhanced operational access to documents and the acceleration of criminal case review procedures contributed to increasing the overall effectiveness of justice.

Based on the results of the project, the expansion of electronic criminal case files throughout the territory of Uzbekistan was envisaged. Work is currently underway to assess the feasibility of implementing new technologies and further modernizing the judicial system in order to improve the quality of criminal justice and enhance access to justice for citizens.



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The principal objective of introducing electronic criminal case files is to transition toward a more open and efficient system of criminal adjudication through the use of modern information and communication technologies. This will make it possible to:

- reduce the time required for the preparation and adjudication of criminal cases;
- ensure uninterrupted access to case materials for all participants in the proceedings;
- minimize the risk of loss or distortion of information;
- enhance the transparency of criminal proceedings for the public.

Judicial and investigative authorities handle confidential information, including personal data of participants, financial information, and other sensitive materials. The absence of adequate protection mechanisms for electronic criminal case files may result in data breaches with serious consequences. While digital formats allow for enhanced protection measures, they also entail risks of cyberattacks, depending on the robustness of the information security infrastructure employed. Accordingly, it is critically important to implement multi-layered security systems, including physical safeguards, intrusion detection and prevention software, and regular system updates and patch management.

The application of advanced technologies, such as blockchain and artificial intelligence, may further strengthen data protection by ensuring reliable encryption and automated anomaly detection, thereby significantly reducing the likelihood of successful cyberattacks. In addition, user and staff training in cyber hygiene and awareness of potential cyber threats constitutes an integral element of a comprehensive data protection strategy. The introduction of strict data access protocols, including multi-factor authentication and the limitation of access rights in accordance with the principle of least privilege, also plays a crucial role in preventing unauthorized access. Ultimately, the establishment of a comprehensive data protection system requires not only advanced technical solutions but also the cultivation of a security-oriented institutional culture capable of effectively responding to threats in an evolving digital environment. According to A. A. Mukhitdinov and T. V. Tsukalova, there is also a risk of falsification of materials within electronic judicial proceedings, whereby



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unauthorized individuals who gain access to judicial databases, or even officials such as court staff, may alter electronic case materials or unlawfully appropriate information protected by law as personal, official, or state secrets. In light of this risk, the development of a robust data protection framework should constitute a priority in the implementation of electronic criminal case files. Furthermore, the problem of falsification of electronic evidence during the handling of electronic criminal cases poses a significant threat that may foster skepticism and undermine trust in the digitalization of the judiciary. This underscores the necessity of developing and implementing advanced mechanisms for authentication and data verification, as well as strict control over access to electronic judicial materials, in order to prevent unauthorized modification or theft.

Electronic criminal case files may enhance transparency by enabling parties and observers to monitor the progress of proceedings more effectively. However, absent appropriate safeguards, they may also increase the risk of breaches of confidentiality. In this context, it is essential to develop and implement comprehensive data protection systems designed to prevent unauthorized access to sensitive information. A key element of security is the application of modern encryption, authentication, and access control technologies to ensure that only duly authorized persons may access criminal case materials. Regular security audits and systematic staff training in handling confidential information are likewise necessary to minimize the risks of data leaks and other forms of abuse. The implementation of electronic criminal case files will open new prospects for the development of criminal procedure in Uzbekistan. In particular, it is expected to:

- improve coordination among law enforcement bodies and the judiciary;
- introduce effective mechanisms for monitoring and ensuring compliance with procedural time limits;
- expand opportunities for training and professional development of investigators, judges, and other participants in criminal proceedings in the field of electronic systems.



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Notwithstanding its considerable potential, the implementation of electronic criminal case files is associated with a number of challenges. Among the principal ones are:

- the need to ensure a high level of cybersecurity for the protection of confidential data;
- difficulties in adapting existing personnel to new technologies;
- the requirement for substantial initial investment in equipment procurement and software development.

The introduction of electronic criminal case files into the criminal justice system of Uzbekistan marks an important stage in the modernization of the national legal framework. It reflects a strategic commitment to improving procedural efficiency, transparency, and real access to justice through the use of digital technologies.

Despite existing organizational and technical challenges, the digitalization of criminal proceedings offers substantial advantages, including accelerated case processing, improved coordination among judicial actors, and greater accountability in decision-making. However, the success of this reform depends on the adoption of clear regulatory provisions governing the legal status, admissibility, and protection of electronic data, as well as the implementation of reliable cybersecurity safeguards.

Equally essential are adequate technical infrastructure and continuous professional training for all participants in criminal proceedings. Only under these conditions can electronic criminal case files effectively strengthen the rule of law and public confidence in the justice system.

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