# STRENGTHENING PROSECUTORIAL OVERSIGHT OF PUBLIC ADMINISTRATION BODIES TO ENSURE THE RULE OF LAW: CHALLENGES AND DIGITAL SOLUTIONS

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**Abstract.** Effective prosecutorial oversight of public administration bodies is a core mechanism for sustaining the rule of law, particularly in civil law and post-Soviet legal systems where the prosecution service combines criminal prosecution with a general supervisory function (nadzor) over the legality of executive action. This article examines the institutional challenges confronting prosecutorial oversight and explores how digital technologies can strengthen its effectiveness. Using a comparative, document based analysis of international rule of law indices, digital government indices, and national reform strategies, the study finds that checks on government power have weakened globally over the past decade, that prosecutorial oversight models face a persistent tension between institutional independence and accountability, and that digital transformation, when properly governed, can enhance the transparency, speed, and evidence based character of oversight functions. The case of Uzbekistan's "Digital Prosecutor's Office, 2030" strategy illustrates both the opportunities and the risks of digitalizing prosecutorial supervision. The article concludes with recommendations for combining institutional safeguards with digital tools such as electronic case management systems, open data platforms, artificial intelligence based risk analytics, and unified citizen appeal portals.

**Keywords:** prosecutorial oversight, rule of law, public administration, digital government, e-governance, anti-corruption

## 1. Introduction

The rule of law depends, above all, on the existence of institutions capable of holding public administration accountable to legal norms. Among these institutions, the prosecution service occupies a distinctive place in many legal systems. In common law jurisdictions such as the United States, prosecutors are primarily criminal law actors whose main constraint is prosecutorial discretion, checked by legislative oversight, judicial review, and internal Department of Justice policy (Congressional Research Service, 2026). In civil law and, especially, post-Soviet jurisdictions, the prosecution service has traditionally exercised a broader function of general supervision (nadzor) over the legality of acts and decisions taken by executive bodies, local governments, and officials, a function that traces back to the Procuracy established in Russia by Peter the Great in 1722 and reinforced under Catherine II's 1764 directive on general supervision (Encyclopaedia Britannica, 1998).

This supervisory model was formalized under Soviet law beginning in 1922 and was constitutionally entrenched in 1936, when the Prosecutor of the USSR was vested with supreme supervision over the exact implementation of laws by state bodies, officials, and citizens (Prosecutor's Office of Russia, n.d.). After the dissolution of the Soviet Union, successor states retained variants of this model. The Russian Federal Law "On the Prosecutor's Office" continues to charge the Prokuratura with supervising the implementation of laws by federal executive authorities, regional bodies, and local self-government (Prosecutor's Office of Russia, n.d.), while Kazakhstan's Prosecutor General's Office exercises what its statute describes as supreme supervision over the precise and uniform application of laws, presidential decrees, and other regulatory acts (Prosecutor General's Office of Kazakhstan, n.d.). Uzbekistan's prosecutorial system follows a comparable design, combining criminal prosecution with oversight of legality in public administration.

This dual mandate raises a structural question that has occupied comparative constitutional scholarship for decades: how can a body with such wide supervisory powers over the executive itself remain accountable, transparent, and free from politicization? The Venice Commission, in its influential 2010 report on European standards regarding the independence of the judicial system, concluded

that transparent and accountable procedures for appointing and dismissing chief prosecutors are essential to secure independent prosecution services, and that prosecutorial independence in the narrow sense means prosecutors need not obtain prior approval from superiors for legislatively mandated activities, while still remaining subject to appropriate accountability mechanisms (Venice Commission, 2010). A parallel debate exists in common law systems: Barkow (2009) argues that administrative law offers valuable lessons for the institutional design of prosecutorial oversight, particularly the idea, drawn from Jerry Mashaw's scholarship, that structural separation and internal supervision within an agency function as an important internal check that complements external judicial review.

Over the last decade, however, empirical indicators suggest that such checks on executive power have been eroding worldwide. The World Justice Project's Rule of Law Index 2024, covering 142 countries and drawing on more than 214,000 household surveys, found that the rule of law had declined for the seventh consecutive year, that 77 percent of countries showed a weakening in governmental checks and balances, including oversight by legislatures, courts, civil society, and the media, and that 81 percent of countries had lost protections for fundamental rights since 2016 (World Justice Project, 2024a). At the same time, the same report noted a rare positive signal: for the first time in five years, more countries improved than declined on the Index factor measuring absence of corruption, with corruption declining in nearly three-fifths of countries surveyed (World Justice Project, 2024a). This combination of a persistent institutional recession and isolated gains in anti-corruption performance sets the context for asking whether digital technologies can help reverse, or at least slow, the erosion of oversight capacity.

Digital government has advanced rapidly during the same period. The United Nations E-Government Survey 2024, its thirteenth edition, found that the share of the world's population living in countries lagging in digital government development fell from 45.0 percent in 2022 to 22.4 percent in 2024, reflecting substantial investment in resilient digital infrastructure (United Nations Department of Economic and Social Affairs, 2024). The Organisation for Economic Co-operation and Development (OECD) likewise reports that most of its member and partner countries have committed to reducing the digital divide and to promoting algorithmic transparency, even though its 2023 Digital Government

Index found that the "open by default" dimension, covering open data and transparency practices, remained the weakest of the six dimensions measured, with an average score of only 0.525 out of 1 (OECD, 2024). This gap between digital infrastructure and genuine openness is precisely the space in which prosecutorial oversight of public administration operates, and it is the central problem this article addresses.

The purpose of this article is threefold: first, to characterize the institutional challenges facing prosecutorial oversight of public administration bodies in light of the global decline in checks on executive power; second, to examine, through the case of Uzbekistan, how a prosecution service with a broad supervisory mandate is attempting to use digital tools to strengthen legality control; and third, to identify digital solutions, drawn from comparative practice in anti-corruption technology and digital government, that could be adapted to reinforce prosecutorial oversight while preserving institutional independence and public trust.

## 2. Materials and Methods

This article adopts a qualitative, document based comparative research design, a method well suited to institutional and policy analysis in public law where controlled experimentation is not possible. The study synthesizes three categories of secondary sources published between 2009 and 2026.

First, doctrinal and normative sources on prosecutorial independence and accountability were reviewed, including the Venice Commission's 2010 report on European standards regarding the prosecution service and its 2022 compilation of opinions and reports concerning prosecutors (Venice Commission, 2010, 2022), together with comparative administrative law scholarship on the institutional design of prosecutorial oversight (Barkow, 2009) and United States congressional oversight practice regarding prosecutorial discretion (Congressional Research Service, 2026).

Second, quantitative governance indices were used to establish the empirical context of executive accountability and digital government maturity. These included the World Justice Project Rule of Law Index 2024 (World Justice Project, 2024a, 2024b), the United Nations E-Government Development Index as reported in the E-Government Survey 2024 (United Nations Department of

Economic and Social Affairs, 2024), the OECD Digital Government Index 2023 (OECD, 2024), the World Bank GovTech Maturity Index (Dener et al., 2021; World Bank, 2022), and the Transparency International Corruption Perceptions Index for 2023 and 2024 (Gazeta.uz, 2024; Kun.uz, 2025; Transparency International, 2025).

Third, a single embedded case study of Uzbekistan was constructed from primary institutional sources, including the Prosecutor General's Office reform documentation summarized in legal alerts (Cerberus Legal, 2026), reporting on the "Digital Uzbekistan, 2030" strategy (Saida & Kuliev, 2026), development partner project documentation from the United Nations Development Programme and the Asian Development Bank (Asian Development Bank, n.d.; United Nations Development Programme, n.d.), the United States Department of State's country assistance reporting on Uzbekistan's anti-corruption reforms (U.S. Department of State, 2021), and the government's own digital citizen appeal infrastructure (Government Portal of the Republic of Uzbekistan, n.d.; Ministry of Digital Technologies of the Republic of Uzbekistan, n.d.). Uzbekistan was selected because it combines, within a single reform program, the classical post-Soviet model of prosecutorial supervision with an explicit, dated strategy for the full digitalization of prosecutorial functions, making it a useful illustrative case rather than a statistically representative one.

Findings from these three streams of evidence were triangulated through thematic synthesis: passages addressing institutional independence, accountability mechanisms, digital infrastructure, and anti-corruption technology were extracted, compared across sources, and organized into the thematic categories presented in the Results section. No original survey or experimental data were collected; all figures cited are drawn directly from the sources referenced, and no data were extrapolated or estimated beyond what these sources report.

## 3. Results

### *3.1 A global recession in checks on executive power*

The evidence base reviewed for this article converges on a single, consistent finding: constraints on public administration have weakened in most countries over the past decade. According to the World Justice Project (2024a), the

rule of law weakened in a majority of countries surveyed in 2024 (57 percent), extending a decline that has continued for seven consecutive years, and more than six billion people now live in countries where the rule of law is weaker than it was in 2016. The specific factor most relevant to prosecutorial oversight, constraints on government powers, has been among the most affected, alongside a broader weakening of oversight performed by legislatures, courts, civil society, and the media (World Justice Project, 2024a). At the same time, the Index recorded a partial counter-trend: the absence of corruption factor improved in a majority of countries for the first time in five years, though the average improvement remained modest, at only 1.3 percent (World Justice Project, 2024b).

### *3.2 The independence to accountability tension in prosecutorial design*

The comparative legal sources reviewed confirm that prosecutorial oversight bodies face a structural design problem that predates the digital era. On one hand, the Venice Commission (2010) emphasizes that prosecutors exercising legislatively mandated supervisory functions must be shielded from case by case political interference, and that transparent and accountable procedures for the appointment and dismissal of chief prosecutors are essential preconditions for that independence. On the other hand, a supervisory body vested with such wide powers over the rest of the executive branch itself requires internal and external accountability mechanisms if it is not to become, in Barkow's (2009) phrase, an actor whose oversight primarily serves to make enforcement "sufficiently tough" rather than lawful. Historically, this tension has been resolved differently across systems: the Procuracy created under Catherine II combined judicial and administrative supervisory functions until 1864, when its role was narrowed to judicial matters alone (Encyclopaedia Britannica, 1998), while the Soviet and post-Soviet model reintroduced and retained a broad supervisory mandate over administrative legality (Prosecutor's Office of Russia, n.d.).

### *3.3 Case study: Uzbekistan's prosecutorial and digital government reforms*

Uzbekistan illustrates how a jurisdiction operating the broad supervisory model is attempting to reconcile these pressures through digitalization. The country's digital government performance has improved markedly: in the 2024 UN

E-Government Development Index, Uzbekistan ranked 63rd out of 193 countries with a score of 0.7999, entering the "Very High EGDI" group for the first time, and it was placed in Group A, the most advanced tier, of the World Bank's GovTech Maturity Index (Saida & Kuliev, 2026). This progress builds on a sequence of national strategies, from the 2017 to 2021 Action Strategy on Five Priority Areas of Development to the current "Digital Uzbekistan, 2030" strategy, which explicitly targets the expansion of electronic government services across economic, social, and public administration sectors (Saida & Kuliev, 2026).

Within this broader digital agenda, the Prosecutor General's Office has adopted a dedicated "Digital Prosecutor's Office, 2030" strategy, whose stated mission is to achieve full automation of prosecutorial functions by 2030 and seamless electronic interaction across law enforcement, justice, and public administration bodies (Cerberus Legal, 2026). The strategy envisions the prosecution service as an integral component of the national e-governance ecosystem, with all activities carried out electronically, monitored in real time, and integrated with other state bodies, and it establishes a dedicated Center for Digital Technologies within the Prosecutor General's Office to lead artificial intelligence projects and interagency data integration (Cerberus Legal, 2026). These reforms follow earlier institutional changes, including the creation of Uzbekistan's Anti-Corruption Agency and international technical assistance to develop income and asset declaration systems for public employees and to strengthen the anti-corruption curriculum at the Prosecutor General Office's Academy (U.S. Department of State, 2021).

Anti-corruption performance data suggest these reforms are associated with gradual, if uneven, improvement. Uzbekistan's Corruption Perceptions Index score rose from 31 points in 2022 to 33 points in 2023, before settling at 32 points, and 121st place out of 180 countries, in the 2024 Index, with Transparency International's regional review crediting the establishment of the Anti-Corruption Agency and legislative improvements while cautioning that centralized political control over state institutions continues to constrain further progress (Gazeta.uz, 2024; Kun.uz, 2025; Transparency International, 2025). This pattern, meaningful gains that nonetheless plateau well below regional leaders such as Georgia, is consistent with development partner assessments that digital transformation in transition economies faces persistent socioeconomic and political barriers even

where the technical infrastructure for e-government is advancing (Asian Development Bank, n.d.; United Nations Development Programme, n.d.).

### *3.4 Digital infrastructure as a precondition for oversight capacity*

Across the broader comparative evidence, digital government maturity and oversight capacity appear closely linked, though not automatically so. The World Bank's GovTech Maturity Index recorded a rise in the global average maturity score from 0.519 in 2020 to 0.552 in 2022, reflecting improvements in core government systems, service delivery, and citizen engagement across the 198 economies assessed (Dener et al., 2021; World Bank, 2022). Yet the OECD (2024) found that openness, the dimension most directly relevant to external oversight and public accountability, lagged behind other dimensions of digital government performance, implying that infrastructure investment alone does not guarantee the transparency that effective prosecutorial and public oversight requires.

## 4. Discussion

### *4.1 Digital tools available to strengthen prosecutorial oversight*

The comparative anti-corruption technology literature identifies several categories of digital tools that could be adapted to reinforce prosecutorial oversight of public administration, several of which already have working precedents in other jurisdictions.

Open data and crowdsourced monitoring platforms represent the most mature category. Ukraine's DOZORRO system, developed with Transparency International Ukraine, was designed specifically to avoid predictable, gameable risk indicators; in one review cycle, twenty independent experts assessed roughly 3,500 public procurement tenders without access to the identities of procuring entities or contract values, reducing the scope for manipulation (Transparency International Knowledge Hub, 2025). Bertot, Jaeger, and Grimes (2010) argue more broadly that e-government and social media function as openness and anti-corruption tools precisely because they lower the cost of monitoring government action and widen the circle of actors, beyond formal oversight bodies, who can observe and report irregularities.

Artificial intelligence based risk analytics form a second category. The World Bank's Governance Risk Assessment System, piloted in Brazil, screens large public datasets, including electoral registers, payroll records, and blacklisted-firm registries, to flag potential collusion, undue political influence, and other red flags in procurement, and has reportedly helped Brazilian authorities detect corruption at both state and municipal levels (Transparency International Knowledge Hub, 2025). Comparable initiatives include the European Court of Auditors' use of machine learning to identify outliers in the European Commission's lobbying transparency register, and the Spanish General Comptroller's advanced analytics pilot to detect anomalies indicative of corruption or fraud risk (OECD, 2025b). The OECD (2025b) cautions, however, that black-box models can increase predictive performance while simultaneously provoking resistance from oversight bodies and courts because of their opacity, an observation with direct relevance for prosecutorial use, where decisions must remain explainable and legally reviewable.

Unified electronic case management and citizen appeal systems form a third category, already partly in place in Uzbekistan. The government's single online platform for appeals, murojaat.gov.uz, consolidates complaints submitted to ministries, committees, departments, and local authorities (akims) into one system, enabling digital control over the timing and quality of their consideration and, in principle, allowing prosecutorial and other oversight bodies to identify patterns of unresolved or recurring administrative violations (Ministry of Digital Technologies of the Republic of Uzbekistan, n.d.). Integrating such appeal data with the planned Center for Digital Technologies within the Prosecutor General's Office (Cerberus Legal, 2026) could allow supervisory action to be triggered by aggregated citizen complaint patterns rather than relying solely on ad hoc inspections.

### *4.2 Institutional safeguards that must accompany digitalization*

None of these tools substitutes for the institutional safeguards identified in Section 3.2. The Venice Commission's (2010, 2022) emphasis on transparent appointment procedures and functional independence remains fully applicable to a digitalized prosecution service; indeed, digitalization without such safeguards risks concentrating additional investigative power in an institution that already combines prosecutorial and supervisory functions, an outcome the Venice Commission has

repeatedly flagged as a rule of law concern in its country specific opinions. Algorithmic transparency is a second necessary safeguard: the OECD's (2024) finding that "open by default" practices remain the weakest dimension of digital government suggests that the analytic models used for risk scoring within prosecutorial oversight should themselves be subject to external audit and, where feasible, published methodology, consistent with the G20/OECD Anti-Corruption Open Data Principles (OECD, 2015).

A third safeguard concerns the digital divide within public administration itself. Because prosecutorial oversight of legality depends on comparing administrative practice across ministries, regions, and local governments, uneven digital capacity among the bodies being supervised can distort the picture available to oversight authorities, favoring digitally mature institutions and under-detecting violations in less digitized ones. The persistence of this gap even in relatively advanced digital government systems, reflected in the OECD's (2024) open by default findings and in development partner assessments of transition economies (Asian Development Bank, n.d.), indicates that digital oversight tools should be phased in alongside, not instead of, capacity building in the supervised bodies themselves.

### *4.3 Policy recommendations*

Drawing on the findings above, four recommendations follow. First, digital case management and risk analytics systems introduced into prosecutorial oversight should be designed with built in explainability and subject to periodic external audit, rather than adopted as closed proprietary systems, in order to preserve the accountability standards articulated by the Venice Commission (2010, 2022) while gaining the efficiency benefits documented in comparative practice (OECD, 2025b; Transparency International Knowledge Hub, 2025). Second, citizen appeal platforms such as murojaat.gov.uz should be structurally linked to prosecutorial case selection criteria, so that patterns of unresolved administrative complaints can trigger supervisory review, following the logic already demonstrated by crowdsourced procurement monitoring systems such as DOZORRO (Transparency International Knowledge Hub, 2025). Third, open data publication on the outcomes of prosecutorial supervisory acts, protests, and orders issued against administrative bodies would directly address the openness gap

identified in the OECD Digital Government Index (OECD, 2024) and would align prosecutorial practice with the G20/OECD open data principles for anti-corruption (OECD, 2015). Fourth, digital investment in prosecutorial oversight capacity should be sequenced alongside, rather than ahead of, digital capacity building in the supervised public administration bodies themselves, to avoid the uneven detection risk described in Section 4.2.

## 5. Conclusion

Prosecutorial oversight of public administration bodies occupies a distinctive and, in many jurisdictions, increasingly strained position within the architecture of the rule of law. Comparative evidence indicates that checks on executive power have weakened in most countries over the past decade, even as absence of corruption has shown modest signs of improvement in a majority of states (World Justice Project, 2024a, 2024b). At the same time, the rapid global advance of digital government, reflected in rising E-Government Development Index and GovTech Maturity Index scores (Dener et al., 2021; United Nations Department of Economic and Social Affairs, 2024; World Bank, 2022), creates genuine opportunities to strengthen prosecutorial oversight through open data, artificial intelligence based risk analytics, and unified citizen appeal systems. Uzbekistan's "Digital Prosecutor's Office, 2030" strategy demonstrates that such reforms are already underway in jurisdictions operating the broad, post-Soviet model of prosecutorial supervision, and its measured, still incomplete gains in corruption perception scores illustrate both the promise and the limits of technology led reform (Cerberus Legal, 2026; Gazeta.uz, 2024; Kun.uz, 2025). The central lesson of this analysis is that digital tools can meaningfully extend the reach and evidentiary basis of prosecutorial oversight, but only when paired with the institutional safeguards, independence, transparent appointment procedures, algorithmic accountability, and open publication of oversight outcomes, that comparative constitutional practice has long identified as the foundation of legitimate prosecutorial power (Barkow, 2009; Venice Commission, 2010, 2022). Digitalization, in short, is a powerful accelerant of oversight capacity, but it cannot substitute for the institutional design choices that determine whether that capacity is used to uphold the rule of law or to concentrate it.

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