

THE ISSUE OF THE APPLICATION OF CRIMINAL LEGISLATION IN THE REPUBLIC OF UZBEKISTAN

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Abstract: This article examines the operation and application of criminal legislation in the Republic of Uzbekistan. The importance of clearly determining the scope, principles, and mechanisms of criminal law application is analyzed, focusing on the territory and subjects of criminal legislation, as well as the challenges and modern solutions within Uzbek criminal law. The article pays attention to international experience, the legal doctrine, and the practical necessities of criminal legislation.

Keywords: Republic of Uzbekistan, criminal legislation, principle of legality, territorial application, international law, criminal responsibility.

Annotatsiya: Mazkur maqolada O'zbekiston Respublikasida jinoyat qonunchiligining amal qilishi va qo'llanilishining nazariy va amaliy masalalari tahlil qilinadi. Jinoyat qonunchiligi amal qiladigan doira, asosiy prinsiplari va tatbiq mexanizmlarini aniqlash muhimligi ko'rsatiladi. Xususan, hududiy va shaxsiy amal qilish masalalari, shuningdek, zamonaviy jinoyat qonunchiligi sohasidagi muammolar hamda ularning yechimlari yoritiladi. Maqolada xalqaro tajriba, huquqiy doktrina va amaliy ehtiyojlarga alohida e'tibor qaratilgan.

Kalit so'zlar: O'zbekiston Respublikasi, jinoyat qonunchiligi, qonuniylik prinsipi, hududiy amal qilish, xalqaro huquq, jinoyat javobgarligi.

Аннотация: В данной статье рассматриваются вопросы действия и применения уголовного законодательства в Республике Узбекистан. Анализируется значение четкого определения сферы действия, принципов и механизмов применения уголовного права, особое внимание уделяется территориальной и субъектной применимости уголовного законодательства, а также современным вызовам и решениям в уголовном праве Узбекистана. В статье также отражен международный

опыт, правовая доктрина и практические необходимости уголовного законодательства.

Ключевые слова: Республика Узбекистан, уголовное законодательство, принцип законности, территориальное действие, международное право, уголовная ответственность.

INTRODUCTION

The system of criminal legislation in the Republic of Uzbekistan has undergone significant development, reflecting both national characteristics and the influence of international legal standards. The formation of an independent criminal law has been one of the most important steps in building the legal foundation of the country, which seeks to protect citizens' rights, social order, and the interests of the state. The application of criminal legislation is a crucial issue, as it determines the scope of criminal responsibility and the principle of justice in society. The Criminal Code of the Republic of Uzbekistan establishes fundamental principles, such as the supremacy of law, equality before the law, the inevitability of punishment, and humanity. These principles are reflected in how criminal legislation is applied to individuals and events within and, in some cases, outside the country's boundaries [1].

One of the main aspects of criminal legislation application is its territorial effect. According to the legislation, criminal law applies to offenses committed within the territory of Uzbekistan, regardless of the citizenship of the perpetrator. This standard ensures that any person who commits a crime within the borders of the country will be held accountable, following the uniformity of legal jurisdiction and public interests. Moreover, there are defined procedures for the application of criminal law to crimes committed outside the country by citizens of Uzbekistan, stateless persons, and, under special conditions, foreign nationals. The principle of citizenship complements the territorial principle, ensuring that Uzbek citizens do not avoid liability by committing crimes abroad. Another essential aspect is the temporal application of the criminal law. Uzbek criminal legislation operates under the rule that a law has no retroactive force unless it mitigates or annuls criminal liability. This provision illustrates the commitment to the rule of law and

fairness, protecting individuals from ex post facto laws and reinforcing the stability of the legal system. The clear definition of when a law comes into power and its effect on previous acts is a fundamental aspect of legal certainty [2].

MATERIALS AND METHODS

Special attention should be paid to the international dimension of criminal legislation in Uzbekistan. In an era of globalization, crimes increasingly cross national boundaries, and effective cooperation with foreign states becomes imperative. The Uzbek criminal law takes into account international treaties and mutual assistance agreements between countries, demonstrating openness to the harmonization of criminal legislation in line with global practices. An additional element in the application of criminal law in Uzbekistan is the treatment of diplomatic immunity and other international legal immunities. The national legislation generally acknowledges international law principles regarding the immunity of foreign diplomats and certain international representatives, reflecting a commitment to international obligations and conventions. The issue of criminal law application is also connected to the modern challenges faced by Uzbekistan, such as fighting organized crime, terrorism, cybercrime, and other transnational threats. The criminal law framework is continuously evolving, adapting to new forms of criminal activity, and providing effective tools for ensuring public safety. Legislative amendments and supplements are frequently adopted to keep the criminal code relevant and efficient.

It is important to observe that the criminal legislation's proper application relies not only on the norms themselves but also on judicial and law enforcement practices. The judiciary in Uzbekistan is empowered to interpret and apply the criminal law, ensuring that justice is delivered in accordance with both the letter and the spirit of the law. Consistency of judicial practice is supported by guidelines and resolutions from higher courts, contributing to predictability and transparency in criminal proceedings [3].

RESULTS AND DISCUSSION

The doctrinal approach in Uzbekistan recognizes the foundational theories of criminal law that have been developed by both domestic and foreign legal scholars. Scientific studies and comparative analyses often influence legislative processes, leading to the

improvement of criminal law institutions and their practical realization. In academia and legislative debates, the question of legal certainty, proportionality of punishment, and human rights guarantees are frequently discussed, highlighting their significance for the criminal justice system. Further, the effectiveness of criminal law also depends on preventive measures, comprehensive social policy, and educational programs that aim to reduce crime rates. Criminal legislation alone cannot solve all societal problems, but it serves an essential role in outlining unacceptable behaviors and prescribing consequences for their violation.

The application of criminal law in the Republic of Uzbekistan is not immune to challenges. Issues such as legal gaps, unclear formulations of some legal norms, and occasional inconsistencies between national and international legal requirements pose ongoing risks. However, the dynamic nature of the legislative process, coupled with open public discourse, contributes to the gradual elimination of these deficiencies [4].

Modernization of the criminal law remains one of the top priorities for the country's leadership. Strategic reforms, harmonization with global standards, and the digitalization of legal processes help to ensure that the criminal law is accessible, efficient, and just. There is also a growing emphasis on the protection of the rights of suspects and defendants, access to legal assistance, and the presumption of innocence, all of which are integral to fair criminal proceedings. In summary, the application of criminal legislation in Uzbekistan is based on a balanced approach that combines territoriality, citizenship principles, respect for international obligations, and dedication to human rights. The country's experience with criminal law is continuously enriched by comparative analysis, practical feedback, and the input of scholars and practitioners. The evolution of criminal legislation in Uzbekistan demonstrates a persistent aspiration for justice, the protection of society, and the creation of a stable, law-governed state. However, continued vigilance and adjustment are required to address new types of crime, align with international obligations, and ensure the effective protection of the lawful interests of society and the individual [5].

Conclusion:

The issue of the application of criminal legislation in the Republic of Uzbekistan is of great importance for the stability and safety of society. The legislative framework, based on clear principles of legality, territoriality, and citizenship, provides for both the protection of public order and the adherence to international legal norms. Despite certain challenges, Uzbekistan's criminal legislation is being continuously updated, striving to ensure legal certainty, safeguard human rights, and effectively respond to acts threatening public safety. Future developments are likely to focus on harmonizing laws with international standards, strengthening judicial independence, and further protecting the rights of individuals implicated in criminal proceedings.

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