

CONTENT OF SPECIFIC FEATURES OF SPECIAL CRIME PREVENTION MEASURES

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Abstract: The article highlights the features and advantages of special crime prevention, as well as reveals the content of this type of prevention, its role and significance in prevention.

Key words: special crime preventions, features, criteria.

Introduction. Prevention of crime has long been considered one of the topical problems of criminological science. In this direction, the main attention is paid to the development and implementation of effective preventive measures to identify and eliminate the causes and conditions of crime. Without determination of the true causes and conditions of committing crimes, the effectiveness of preventive measures cannot be achieved.

But criminologically, a crime is a social and legal concept in which the causes and conditions contributing to the commission of a crime consist of multifaceted events. Therefore, criminal scientists have developed various theories about the causes and conditions of committing crimes.¹ In some cases, the causes and conditions of the crime are classified differently in terms of content and features. For example, I. Ismailov, K.R. Abdurasulova and I. Yu. Fazilov divide the causes and conditions of a crime into causes and conditions at the universal, group and individual levels by the volume (degree) of².

This classification of causes and conditions of crime creates the need to divide or classify preventive activities into types. Based on this need, the legislator in article 6 of the Law of the Republic of Uzbekistan “On the prevention of offenses” of 14 May 2014 pointed to four types of prevention of offenses, namely, general, special, individual and victimological prevention.

Each type of prevention of offenses has its own features, advantages, goals, objectives, objects and subjects. S.B. Khuzhakulov noted that a certain type of prevention of offenses should be distinguished from the other on the specifics (individuality). However, in the national legislation, this specificity is not paid attention. The existing discussion situation in the theoretical and practical terms leads to certain contradictions and misunderstandings in the differentiation of types of crime prevention, the definition of their specifics and preparation of reports on the work done in this direction, their analysis and planning of crime prevention.³

Indeed, in the study of articles 24-27 of the Act "On the prevention of offenses", regulating the special prevention of offenses, the essence of the special prevention of offenses of these norms is not sufficiently disclosed.⁴ We will try to justify this conclusion with our views on the content of the following features of special prevention of offenses.

On the basis of the analysis of legal documents, scientific literature and practice of prevention of offenses the features of the special prevention of offenses are as follows:

First, the special prophylaxis of offenses is carried out in the presence of certain types of offenses, increase of categories of persons or at occurrence of risk and threats, encroaching on public security and public order, interests of the person, society and state.

In article 24 of the Law as the basis for the implementation of special prophylaxis of offenses are given as follows:

1) increase in the number of separate types of offenses, categories of persons (as an example it is possible to give an increase in the number of crimes connected with illegal circulation of narcotic substances, as well as persons engaged in prostitution, maintenance of brothels of debauchery or procurement);

2) emergence of risks and threats that infringe on public security and public order, the interests of the individual, society and the state (*for example, the search for an armed criminal, the escape of suspects in vehicles*).

There are cases when there are no risks and threats that infringe on public security and public order, the interests of the individual, society and the state, but there is an opportunity (for example, planning and holding mass events). However, this aspect of the issue was left without attention of the legislative body. We consider it expedient to eliminate this gap by supplementing part 2 of article 24 of the Law "On prevention of offenses" with point 3 of the following content: "presence of risks and threats encroaching on public security and public order, interests of the person, society and state".

Secondly, thoughtfulness of measures of special prevention of offenses, clear distribution of responsibilities between subjects, efficiency of implementation of special preventive measures.

The essence of the efficiency of the special prevention of offenses is that based on the timeliness and interdependence of the preventive measures carried out, tentatively planned, in some cases, the subjects of the prevention of offenses held training sessions on planning of actions. As a result, the practical skills on timely, rapid and accurate implementation of preventive measures are formed. This ensures the rapidity of the special prevention of offenses.

Thirdly, the implementation of special preventive measures in accordance with a special standard plan approved by the relevant regulatory documents.

To ensure the promptness, more precisely, timely, rapid and accurate implementation of preventive measures of special prophylactic offenses is developing a model plan of special preventive measures with strict, some recommendatory description. These plans are regulated by departmental regulations of the subjects of the prevention of offenses. This can be observed in such activities as "Coradori", "Arsenal", "Oryat", "Tozalash", "Antiterror". which are held in the system of internal affairs bodies.

However, the legislator has left without attention the legal regulation of cases related to these features of special prevention of offenses.

Therefore, the implementation of special prevention of offenses can be observed only in the activities of the internal affairs agencies. This requires that the norms of the law establish rules related to when, in what cases, on what grounds, by whom, on what requirements, taking into account what aspects of activity special preventive measures of suppression of offenses are developed and planned.

Fourth, *the conventional name of special preventive measures of offenses, based on the essence of certain types of offenses, categories of persons or risks and threats that infringe on public security and public order, the interests of the individual, society and the state.*

To a certain extent, the practice of conventional naming of special measures has developed in the activity of internal affairs bodies. However, insufficient attention is paid to the further development of this practice, to the identification and suppression of the mistakes and shortcomings made, to the development and conventional naming of carefully designed special preventive measures.

This can be seen in the Order of the Ministry of Internal Affairs of Uzbekistan “On ensuring the prevention of offenses, increasing the effectiveness of the activities of the inspectors of prevention (senior) and strongholds of the police”, and then not given in the order of 12 July 2017 № 151 “On approval of the Instruction on the order of organization of the activity of the subdivisions of prevention of offenses of the bodies of internal affairs”.⁵ The following activities have been defined: “Autopatrol”, “Autobus”, “Velocipede”, “Dikkat Pyoda”, “Dikkat Bolalar”, “Dikkat Temir Yul”, “Yongin Havfsisligi Oiligi”, “Izhro”, “Mast Haydovchi”, “Nazat”, “Oriyat”, “Oyna”, “Passport Visa”, “Spitamen”, “Tormush”, “Tozalash”, “Tractor”, “Ustahona”, “Koradori”, “Kidiruv”, “Gamhurlik”, “Xonadon”, “Harakat Havfsisligi oyligi”.

Fifth, *development of special preventive measures in accordance with the procedure established by the legislation.*

As noted above, the social and legal relationships related to the special prevention of offenses are not sufficiently regulated by the law and regulations. This has its impact on the effectiveness of the special prophylaxis of offenses. As a result, among other subjects of the prevention of offenses, except for the bodies of internal affairs, there is a lack of understanding of the special prevention of offenses.

In this connection, as the special prophylaxis of offenses requires that the prophylaxis of offenses was carried out by the bodies and institutions directly carrying out the prophylaxis of offenses on legal grounds, the legislative definition of the order and conditions of development of special preventive measures is required. In this respect it is expedient to pay special attention to the implementation of special measures within the Republic, region, city (district), mahalla (village, aul) or a specific person.

Sixth, *the implementation of special preventive measures only by bodies and institutions directly involved in the prevention of offenses.*

In accordance with the law “On the prevention of offenses” special prevention among the types of prevention of offenses are carried out only by the bodies and institutions directly carrying out the prevention of offenses, that is, the subjects with special powers. Supports this opinion and I.Yu. Fazilov, who studied the features of the special prevention of trafficking in persons⁶.

However, as noted above, the analysis of the practice of prevention of offenses shows that the special prevention of offenses in most cases is conducted by the bodies of internal affairs. Therefore, we consider it expedient to clearly define the powers of the bodies and institutions directly engaged in the prevention of offenses, on the organization and implementation of special prevention of offenses.

In conclusion it is possible to say that the special prophylaxis of offenses has its own features, understanding of the essence of these features gives the opportunity to provide the efficiency of the special prophylaxis of offenses in the society.

Therefore, we believe that the proposals and recommendations put forward in the article on disclosing and strengthening the essence of the specific features of the special prevention of offenses, *firstly*, should form a clear and objective idea about the special prevention of offenses and its capabilities; *secondly*, to distinguish the special prevention of offenses from other types of prevention; *thirdly*, to organize the special prevention of offenses, based on its specific features; *fourth*, to ensure the effectiveness of the application of the special prevention of offenses in practice; *fifth*, to improve the measures of the special prevention of offenses in the legislation and legislative documents based on its specific features.

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