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THE CRIME OF MURDER OR THREATENING VIOLENCE AMONG YOUTH

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ABSTRACT

This article discusses the problems of distinguishing violent robbery crimes committed by young people from other related crimes, the types of crimes that are increasing among young people and strategies for their prevention.

KEYWORDS

Criminal Code of the Republic of Uzbekistan, extortion, presumption of innocence, invasion, victim, killing, violence, intimidation.

INTRODUCTION

Article 13 of the Constitution of the Republic of Uzbekistan states that "Democracy in the Republic of Uzbekistan is based on general human principles. According to these principles, a person, his life, freedom, honor, dignity and other inalienable rights are the highest values. Democratic rights and freedoms are protected by the Constitution and laws". On this basis, protection of the interests of a person, his rights and freedoms from criminal aggression is one of the main tasks of the Criminal Code of the Republic of Uzbekistan.

A person's life and health are a person's priceless wealth, and depriving or harming this wealth is a serious crime. The social risk of crimes against a person is high, and as a result of their commission, life, health, sexual freedom, family and youth interests, moral standards, freedom, honor and dignity of a person and the constitutional rights and freedoms of citizens are threatened. serious damage will be done.

Article 112 of the Criminal Code of the Republic of Uzbekistan stipulates responsibility for killing or

threatening to use violence. The legal analysis of this crime shows that the direct object of this crime is social relations that ensure the safety of another person's life and health. It is these social relationships that are threatened by threats of killing or violence. This crime is objectively expressed in the threat of killing or violence.

METHODOLOGY

Similar crimes may differ depending on the object or subject, as well as their objective and subjective aspects. It is especially difficult to distinguish extortion from other objectively similar crimes. Such crimes include assault (Article 164 of the Criminal Code) and robbery (Article 166, Part 2, Clause "a"). A.L. Meleniyev proposes to distinguish extortion from similar crimes by applying the general rules of crime classification.

Theft is one of the most dangerous property crimes and is closely related to extortion. Therefore, distinguishing between the two can often lead to mistakes. Common characteristics of extortion and theft include the targeting of both property and personal interests, criminal aggression is often associated with an act, and the complexity of the objective structure of the crime (requires at least two acts).

Burglary has similarities with theft. In the criminal law of Uzbekistan, robbery and assault with the use of force are differentiated according to the level of violence used during the commission of the crime, and often specify how the property is illegally taken. A.V. According to Tistik, theft includes not only theft of property, but also attacks that threaten the privacy and health of the owner.

According to Article 164 of the Criminal Code of Uzbekistan, theft is an attack that endangers life or

health by using force during the robbery of another's property.

According to the decision of the Plenum of the Supreme Court of Uzbekistan (No. 6 of April 30, 1999) and the theory of criminal law, the level of violence is used as the main distinguishing feature between robbery and robbery. Analysis of articles 164 and 166 of the Criminal Code also confirms this difference. The law classifies robbery with violence as less serious unless life-threatening, while robbery and assault are more serious forms of violence.

Various court decisions have identified both violent robbery and theft. Examining the legal practices, it is possible to observe consistent trends in the way courts distinguish between robbery and robbery committed by force.

Many legal decisions are based on whether or not the abuse resulted in physical injury. For example, in the city of Chirchik, Tashkent region, E. Kholmurodov attacked Z. Nurmatov with a knife in his car and injured his hand. The court assessed the act of E. Kholmurodov as theft, because the violence caused serious damage to the victim's health. Thus, the judgment was based on the severity of the injury caused by the violence.

DISCUSSION AND RESULTS

Uzbek jurists define the term coercion as "the use of force, coercion, oppression by one person against another." According to them, violence violates human integrity and can be in the form of physical or mental coercion and torture. A.V. Naumov interprets the concept of violence in a broader way and includes the murder committed as a result of carelessness as a crime committed by the use of violence and supports this approach. However, this approach L.V. Criticized by Serdyuk, it was noted that violence is not characteristic of crimes committed through

carelessness. Q.P. Payzullaev also believes that crimes committed with the use of force are committed intentionally, not recklessly. The use of violence refers to actions aimed at overcoming the resistance of the victim.

In our opinion, the deliberate use of violence against someone, inflicting physical or mental pain on him, theoretically and practically cannot be included in the list of crimes committed through recklessness. In the above approach, the concept of force is overextended. Although manslaughter is illegal, it is caused by an involuntary act on the part of the perpetrator. In this case, the will of the perpetrator, which is the main sign of violence, is lacking. That is, a person cannot use force without wanting or knowing the consequences.

Intimidation means threatening the victim with psychological influence. In this case, intimidation can be expressed in different ways, for example, it can be delivered directly to the victim, third parties or people close to him orally, in writing, by telephone, telegraph, fax, Internet or other means. If the threat is made through third parties, the victim must be notified of the threat through them.

It is a crime of taking another person's property with violence that endangers his life or physical safety, and such violence alone is sufficient to complete the crime. In order for the crime to be considered completed, it is not necessary for the criminal to actually acquire the property. However, in the case of robbery, the crime is complete only when the criminal successfully takes possession of the property.

If a person steals property secretly, without the victim or others noticing, this act is classified as theft. Even if the victim or others witness the act, but the perpetrator believes no one noticed, it is theft, not robbery.

It is classified as robbery when a criminal is apprehended in the act of stealthily stealing property and retaliates with non-life-threatening force against the victim or others. However, if the force used poses a threat to life or health, it is classified as trespass or assault. If force is used only to avoid capture after the theft has been committed, it is not robbery or trespassing.

The severity of the violence and its consequences determine whether the act is classified as theft or another crime. If there are more than one crime component, the act should be considered as a set of crimes.

If a person steals property in the presence of mentally retarded persons, young children, or sleeping persons, this act is theft because it is done secretly and is not classified as robbery.

Article 112 of the Criminal Code does not specify the level of force necessary to intimidate the victim. Therefore, according to this article, it is understood that physical and mental violence can be used. Mental violence means affecting the will of the victim by threatening his life or health in any way. The threat of violence may be immediate or intended for the future.

The legislator connects the objective element of this crime with the reliability and authenticity of the threat, that is, the victim must have legitimate reasons to fear violence. The credibility of the threat is determined by factors such as the relationship between the victim and the perpetrator, the real possibility of committing violence, and personal characteristics. The responsibility for determining these factors rests with the investigator, the prosecutor and the court.

In cases of violence, means or methods that threaten the life or health of the victim may be used, but their use is not always necessary. According to Article 112, in

order for intimidation to be considered real, the victim must have sufficient reason to feel threatened. In determining the reality of intimidation, the words of the perpetrator, the seriousness of the conflict, and the nature of the relationship between the intimidator and the victim are important.

Certain circumstances can also affect how a victim perceives bullying. For example, threats may have greater impact when there is no support or when the bully is clearly supported by others.

This crime is premeditated, meaning that the threat of violence or murder must be directed at a specific person and must show specific intent. If these signs are not present, the act does not fall under Article 112. If the threat of killing or violence is a method used to commit another crime, and other articles of the Criminal Code provide for liability for these crimes, the act is assessed only under the article relating to a more serious crime. For example, if a threat to kill or use violence occurs during the act of aggression, it is qualified as aggression based on Article 164 of the Criminal Code.

The primary measure to prevent and fight crime among young people is to strengthen family members and improve their moral and moral environment. This is very important, because children often try to escape from psycho-traumatic family situations, conflicts, lack of parental love and understanding, cruelty or indifference.

Social-pedagogical measures are aimed at identifying and eliminating the causes and conditions that cause homelessness.

When it comes to the category of young offenders, it is important to identify specific groups in determining crime prevention strategies. These groups include:

Juveniles with low socio-economic status, insufficient intellectual development, prone to behavior that violates the social and cultural foundations of society, often from wrongful or socially unacceptable families.

Juveniles from wealthy families who feel a sense of impunity.

Aggressive juveniles who solve conflicts and problems through violence.

Members of youth movements that challenge social and cultural norms.

Juveniles who tend to roam around.

Currently, many children are overly interested in computer and online games, which consume a significant amount of their time, which leads to a decrease in interest in culture. As a result, the behavior of minors is increasingly characterized by aggressiveness, aggressiveness and cruelty. Through social media, minors can connect with like-minded people, share knowledge and experiences, which can exacerbate the problem.

The main directions of prevention of offenses among young people are as follows:

- Timely resolution of family disputes.
- Prevention of intoxication and addiction.
- Ensuring public order and increasing street lighting at night.
- Identification of persons suffering from mental disorders and diseases.
- Increasing legal education and enlightenment among the population.

CONCLUSION

Special measures are aimed at both the identity of the juvenile offender and the factors contributing to the commission of the crime. The main goal is to create a sense of guilt in young people who have committed a crime, as this will affect their attitude towards future crimes and help prevent them from re-offending.

In conclusion, it can be said that large-scale preventive measures aimed at reducing crime among minors are being implemented. Initiatives to combat crime reflect the interests of the state and society, along with the development of future strategies. Statistics showing a decrease in the crime rate confirm the effectiveness of the work in this regard.

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