



IMPROVEMENT OF PREVENTION OF VEHICLE THEFT

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Annotation. The article deals with the criminal-legal aspects and criminal-legal measures of the crime connected with vehicle theft, as well as reviews and scientific and theoretical proposals and recommendations for improvement of the prevention of this type of crime.

Keywords. vehicle, car theft, criminal liability, mercenary, arbitrariness, public danger, internal affairs bodies.

Strengthening the foundations of legal democratic statehood in Uzbekistan, in turn, requires the creation of an effective mechanism for ensuring human rights and freedoms in all aspects of society.

In the Constitution of the Republic of Uzbekistan, the superiority of individual interests over state interests, human rights and freedoms, interests are considered the highest value.

Prevention of crimes, uncompromising fight against all types and forms of crimes, strengthening of legality in our country, ensuring the life, health and personal property rights of citizens is the purpose of establishing peace and tranquility in the society.

Car theft is one of the most urgent problems for society today. Authorities of Internal affairs bodies are making great efforts to combat this type of crime. The mass media pay special attention to them in their criminal headlines, highlight the consequences, appeal to car owners to ensure safe storage of vehicles and their property. However, regardless of the additional forces of the internal affairs bodies, they have been implementing general and special preventive measures to prevent the crime of vehicle hijacking.

Escaping vehicles should be understood as moving someone else's vehicle from one place to another without the intention of robbery [1].

If we look at the recent reforms implemented in the field of judicial system in our country, during the last three years, the crime of car theft has increased by 65%. Therefore, appropriate amendments are being made to the Criminal Code in order to ensure the proportionality of the punishment for the crime of car theft, to increase the effectiveness of the warning and preventive function of the criminal law.

According to the bill, for the theft of a motor vehicle without aggravating circumstances, from 5 to 10 years (in practice - 3-5 years), if committed by a group of individuals, from 10 to 15 years (in practice - 5-10 years), if committed by an organized group it is envisaged to impose a penalty of deprivation of liberty from 15 to 20 years (in practice - 10-15 years) [2].

Our analysis of statistical data related to vehicle theft crimes committed in recent years allows us to make a direct legal assessment of the current state of this type of crime. The significant feature of statistics on fighting against crime is that if more crimes are committed in a certain period of time in a given area, the officers of the internal affairs bodies attract additional forces and means to prevent and strengthen the fight against these type of crimes and take

appropriate measures. In short, coming from the crime statistics officers of the internal affairs bodies plan their future activities. Therefore, the criminal situation in the Republic of Uzbekistan, the operational situation and the issues of future crime fighting will be resolved. We also directly use the statistical data of the Ministry of Internal Affairs of the Republic of Uzbekistan in our assessment of the current state of the crime of vehicle hijacking [3.]. Below, we present the number and status of vehicle theft crimes in recent years, as well as other information. At this point, we will cite statistical information about the crimes of car theft in the developed countries of the world. There were 737,780 car thefts in the USA, 251,851 in Brazil, 165,690 in India, 161,512 in France, 50,440 in Germany, 55,680 in Russia and 35,959 in Japan [4].

If we analyze the crime of car theft and carjacking in the regions of our Republic, by the end of 2021, this type of crime has increased in 10 regions compared to 2020. For example, in 2021, compared to 2020, the crime of car theft and carjacking increased in Tashkent region by 30% (from 33 to 43), in Tashkent city by 40% (from 35 to 49), in Jizzakh region by 200% (from 1 to 3), Navoi region by 1000% (from 1 to 11), Fergana region by 20% (from 30 to 36), Andijan region by 54.55% (from 11 to 17), Namangan region by 226.67% (from 6 to 22), Surkhandarya region increased by 75% (from 4 to 7 cases), Kashkadarya region by 233.33% (from 3 to 10 cases) and Khorezm region by 500% (from 1 to 6 cases). we can see that it has increased from 155 to 228. The saddest thing is that in 2020, 9 cases of car theft and carjacking remained unsolved, while 3 car carjacking and carjacking crimes were not solved in 2021 [5].

The crime of stealing a vehicle is one of the multi-objective crimes in the Criminal Code and there is no single definition of the object of this crime in the theory of criminal law.

Scholars have made different interpretations of the legal assessment of the crime of car theft. In particular, According to L.R. Avetisyan, car theft is the main direct property right of the crime and the use of the vehicle is an additional direct object [6. P. 81-84.].

According to L.G. Shaybazyan, as a result of the crime of car theft, property relations are the main direct object of the crime [7. P.19.].

According to M.Kh. Rustambaev, the object of the crime of hijacking a vehicle is the safety of movement of mechanical vehicles in the field of traffic, as well as the property of others [8. P 148.].

According to A.A. Adashbaev, the general object of the crime of hijacking a vehicle (Article 267 of the Criminal Code) is to protect a person, his rights and freedoms, the interests of society and the state, property, the natural environment, peace, human security from criminal aggression, as well as to prevent crimes, to protect citizens from the Constitution of the Republic and It consists of education in the spirit of compliance with the laws.

In our opinion, vehicle hijacking should be understood as moving someone else's vehicle from one place to another without the intention of robbing it.

"As a result of insufficient work in cooperation with public organizations on the early prevention of crime, the most preventable crime cases in Tashkent as vehicle theft crimes (in Chilonzor, Yashnabad districts) were committed [10].

According to the decision of the head of our country on December 24, 2018 "About additional measures to increase the effectiveness of public safety", special attention is paid to the use of modern information and communication technologies in the system of internal affairs bodies. For example, on the bases of the programs "Safe City", "Safe Area", "Safe Home", "Provision of

Road Traffic Safety”, a certain number of surveillance cameras are installed, covering the main streets and crowded places of cities and districts. These surveillance devices are controlled by the situational centers of internal affairs bodies. Photo and video recorders are used to ensure traffic safety on the roads.

The role of internal affairs bodies in crime prevention is reflected in the Law of the Republic of Uzbekistan “About prevention of crimes” adopted on May 14, 2014.

Article 9 of the law contains “The system of bodies and institutions that directly implement crime prevention” and among these subjects, internal affairs bodies are considered to be one of the leading subjects.

Carjacking crime prevention is one of the main tasks performed by internal affairs bodies to prevent and combat crime connected with the car theft. The crime analysis shows that carjacking crimes are mostly committed in the dark, in the courtyards of apartment buildings. The following divisions of the internal affairs bodies are engaged in the prevention of the crime connected with car theft: Post Patrol Service, State Road Safety Service, Criminal Investigation Divisions, Inspector of Crime Prevention, and Information and Public Relations Divisions.

In order to improve the prevention of this type of crime, it is advisable to implement the following:

Taking into account the specific features of determining the crime of taking away a vehicle, the main attention should be paid to social and general preventive measures in the prevention of the considered criminal aggressions. At the same time, the effectiveness of prevention of crime connected with taking away a vehicle can be realized by timely prevention of criminogenic situations that create conditions for their commission.

For the practical implementation of this rule, the transport vehicle (public equipment of vehicles with anti-hijacking devices, guarded vehicles, placement in parking lots, etc.) should be distinguished from technical dimensions and organizational nature (detailed development of patrol routes by internal affairs bodies, load standards for officers, closer cooperation with the population and public structures, etc.) should be reflected in the use.

In the implementation of the individual prevention of this type of crime, it is necessary to timely identify and prevent the unification of young people and teenagers, who are united by a passion for technology and have a negative effect on each other, into non-social groups.

We think that the suggestions and recommendations presented above will serve to regulate the legal norms of the crime of carjacking and the prevention of this type of crime and to eliminate the problems in this area.

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