ORGANIZATIONAL FOUNDATIONS FOR THE PREVENTION OF INTENTIONAL HOMICIDE CARRIED OUT BY INTERNAL AFFAIRS BODIES

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Abstract: This article discusses the organizational foundations for the prevention of premeditated murders carried out by internal affairs bodies, and the author has developed proposals and recommendations.

Keywords: internal affairs bodies, murder, premeditated murder, crime.

In our country, a unique legal system has been established to protect human rights, freedoms, and legitimate interests, as well as the property of individuals and legal entities from various offenses. This system aims to maintain public order, ensure public safety, uphold the rule of law, safeguard the security of individuals, society, and the state, and implement crime prevention measures. Within this system, the internal affairs bodies play a crucial role.

At the same time, it is important to radically increase the effectiveness of the activities of internal affairs bodies, strengthen their responsibility in ensuring public order, reliable protection of the rights, freedoms, and legitimate interests of citizens, and in accordance with these tasks, in order to prevent offenses in the social life of our country, in particular, the commission of premeditated murder, the implementation of special preventive measures against offenses by the territorial departments and divisions of internal affairs of the Ministry of Internal Affairs within the framework of special and operational preventive measures based on regulatory legal acts will certainly yield results.

It can be said that the causes and conditions contributing to the commission of premeditated murders committed in administrative territories should be implemented by the sectoral services of internal affairs bodies based on special plans, programs, and other management decisions developed jointly with territorial internal affairs bodies or bodies and institutions directly involved in crime prevention, as well as in cooperation with entities authorized to carry out special crime prevention measures.

The activities of internal affairs bodies on individual prevention of intentional homicide crimes are carried out on the basis of the requirements of Chapter 5 of the Law of the Republic of Uzbekistan "On Crime Prevention" [1], including in order to maintain records of persons with antisocial behavior in the administrative territory, prone to committing intentional homicide, and who have committed this type of crime, their moral correction through educational influence, the formation of their behavior and lifestyle in accordance with social life, as well as individual informing of persons with a high probability of becoming victims of this type of crime about the danger of becoming victims of intentional homicide crimes, the causes and conditions that contributed to the commission of this crime, the method and form of its commission, calling them to vigilance, awareness, and ensuring their safety.

Also, victimological prevention of premeditated murders by internal affairs bodies is carried out in accordance with the requirements of Chapter 6 of the Law of the Republic of

Uzbekistan "On Crime Prevention." In particular, in order to reduce the likelihood of citizens or certain individuals becoming victims of premeditated murder in administrative territories, they identify and eliminate the role of victims in the commission of this type of crime, as well as the causes of their victimization and the conditions that contributed to this. They also organize awareness-raising activities for the population and its individual categories, aimed at identifying risk factors, intentional homicide and other types of offenses, as well as observing safety rules.

It should be noted that there is no doubt that the possibility of resolving conflict situations with the help of the public has been proven in practice. At the same time, family conflicts and any conflict situation in labor collectives are primarily known to neighbors and labor collectives. Consequently, it is precisely in these situations that it is of great importance to direct the activities of the general public towards the prevention of crimes and any offenses in general.

In particular, in this regard, it is advisable to rely on the centuries-old system of local self-government of the people of Uzbekistan and effectively use it in the prevention of offenses we are considering. In particular, it is necessary to effectively use the assistance of the local self-government system not only for this purpose, but also for solving other social problems. Therefore, today in Uzbekistan, special attention is paid to the involvement of the general public in the organization of public administration through the self-government system. Another important aspect of increasing the effectiveness of the self-government system is the proper organization of their activities in cities and villages. At the same time, the identification of persons in need of preventive influence from among various segments of the population at their place of residence and the conduct of necessary socio-educational work with them are effectively carried out through gatherings of citizens of mahallas. In a word, in the practice of social life of our country, there are opportunities for solving the problems of minors, women, family, and everyday life at the place of residence of citizens.

It can be said that the cause of most conflicts arising in family and domestic situations is intoxication. At the same time, the intoxication of victims also often creates conditions for criminal aggression. Based on this, timely suppression of such vices as alcoholism and drug addiction in society creates the basis for preventing many crimes. Admittedly, from a criminological perspective, the problem of preventing alcoholism and drug addiction is studied separately. However, in cases related to the prevention of the crimes we are discussing, since this problem also deserves special attention, we found it necessary to pay attention to some features of these vices. In particular, the lack of special attention to the manifestation of aggressive characteristics of persons suffering from such vices as chronic alcoholism and drug addiction in the emergence of conflict situations reduces the effectiveness of preventive work. Therefore, it is advisable to work on the timely detection and treatment of persons suffering from such diseases. Even if such individuals are undergoing outpatient treatment, they should not be left out of the control of the internal affairs bodies. Preventing individuals from being intoxicated and committing criminal acts is also of great importance. Accordingly, aggression arises in individuals due to alcohol consumption in residential areas and homes. This can lead to serious tragedies.

Therefore, the internal affairs bodies must immediately take the necessary measures upon receiving a report of a person's intoxication and aggression. At the same time, conducting individual preventive work among citizens is of great importance in the

prevention of alcoholism and drug addiction. When carrying out individual preventive work, it is necessary to take into account the mental state of the person or the presence of a mental illness. Especially in the case of a person's psyche characterized by signs of illness, irritability, sudden aggression, it is necessary to work with them and control their behavior.

At this point, it is necessary not to overlook the connection between crime and psychological states of the individual. Because mental retardation and mental disorders of varying degrees, characteristic of individuals, are often overlooked. However, when working with such individuals, the internal affairs bodies should closely cooperate with medical institutions. The necessary information about a person's behavior at the place of residence and work is usually available to the internal affairs bodies. Based on this information, an examination with psychiatrists should be conducted to determine the psyche with the help of medical institutions. This allows for a definitive conclusion about the individual. On the basis of a medical examination of a person, not only mental disorders, but also hidden and chronic mental illnesses are identified. If necessary, medical treatment is prescribed. Therefore, one can agree with the idea of creating psychiatric consultation centers on the ground to implement this measure, which will help prevent crime. Through such consultations, it becomes possible to receive the necessary help in solving problems related to determining the mental state of a person in every family. Most importantly, this prevents potential unpleasantness.

Also, one of the important issues is the prevention of victim situations that lead to intentional homicide. The reason is that in the current criminogenic situation, in order to prevent the occurrence of unlawful actions affecting certain persons, the internal affairs bodies, the general public, as well as each person, must take the necessary measures of influence, including preventing conflicts that may arise in various situations, refraining from actions that infringe upon the personality of others, or using offensive words[2]. In particular, in the prevention of victimization, prevention inspectors, employees of self-government bodies should act based on their powers. That is, they should organize appropriate promotional and awareness-raising work, paying special attention to individuals who engage in prostitution, pimping, or using obscene language that offends the public with their actions, and in these cases, it is advisable to effectively use the capabilities of the mass media. In particular, it is important to conduct propaganda work among the population using television or mass newspapers and magazines on topics related to the fact that a person becomes a victim of a crime as a result of misconduct. The reason is that penetration into people through such mass media is well known from world experience. In these promotional events, it is advisable for them to widely cover the negative aspects of people's behavior in family, everyday life, and public places, as well as the emergence of conflict situations.

It can be said that the Order of the Prosecutor General of the Republic of Uzbekistan No. 120 of December 26, 2014, "On Coordinating Activities to Prevent and Combat Crime and Increasing the Effectiveness of Prosecutorial Oversight over the Implementation of Laws in the Process of Pre-Investigation, Inquiry, Preliminary Investigation, and Operational-Search Activities"[3] stipulates that the effectiveness of operational-investigative actions carried out in cases of premeditated murder, especially unsolved crimes of this category, their causes and conditions that contributed to their commission, be summarized every six months, and specific proposals be prepared to prevent such crimes.

Also, this order strictly stipulates that in each case of premeditated murder, an official investigation will be conducted against the relevant prevention inspectors, and in order to prevent the commission of such crimes in the future, the causes and conditions contributing to the commission of the crime will be thoroughly studied. The reason is that during the preliminary investigation, these cases, as well as the work carried out to combat crime and prevent offenses in the region, and the activities of prevention inspectors based on their results are analyzed. One of the issues requiring attention is that this order stipulates that unsolved premeditated murders, their causes, and the conditions that contributed to their commission are discussed monthly with the participation of heads of internal affairs bodies in the presence of regional prosecutors and their equivalent deputy prosecutors. These requirements impose the obligation on prevention inspectors of internal affairs bodies to regularly carry out preventive measures to solve crimes of premeditated murder and expose the perpetrators, as well as to prevent such crimes. In this regard, prevention inspectors are required to carry out preventive measures in the following areas:

According to Article 343 of the Criminal Procedure Code of the Republic of Uzbekistan, the investigator conducting the investigation of premeditated murder, upon written instruction, determines the causes and conditions that contributed to the commission of the committed crime (for example, the victim of the murder lived alone, without a family, had regular close contact with previously convicted persons, in many cases, previously convicted persons gathered at their house and consumed alcoholic beverages, as a result of which they were brought to administrative responsibility, although such cases occurred, the mahalla, neighbors were indifferent to these events, as well as the citizen's neighbors did not report these negative circumstances to the internal affairs bodies and other reasons) and develops and implements preventive measures to eliminate the identified causes and conditions, preventing the commission of premeditated murder in the administrative territory in the future[4]. Then, by order or instruction of the investigator, the prevention inspector prepares and submits to the investigator a detailed report on the preventive measures taken in the administrative territory to identify and eliminate the causes and conditions that led to the occurrence of this incident.

Based on the requirements of Chapter 36 of Section Six of the Criminal Procedure Code of the Republic of Uzbekistan, the investigator, prosecutor, and court conducting the criminal case shall monitor and ensure the execution by the relevant state body, citizens' self-government body, public association, collective, or official of the submission on the application of measures to eliminate the causes and conditions contributing to the commission of the crime.

Prevention inspectors take measures to bring to justice officials who, within the one-month period established by law, do not take the necessary measures based on the requirements of the submission and do not report the results of the measures taken, according to the type of administrative offense established by Article 196 of the Code of the Republic of Uzbekistan on Administrative Responsibility[5].

If premeditated murder is committed by a minor, individual and general preventive measures are developed based on the requirements of Chapter 3 of the Law of the Republic of Uzbekistan "On the Prevention of Neglect and Delinquency among Minors" dated September 29, 2010, in order to prevent further commission of similar crimes. In this regard, it is necessary to strengthen cooperation with public structures responsible for the upbringing of

minors (consultants on religious-educational and spiritual-moral issues, the Youth Union, commissions on minors' affairs, the administration of educational institutions, parents and persons replacing them).

It is known that in most cases, taking into account the fact that premeditated murders are committed within the framework of family life, special preventive measures are developed and implemented to prevent crimes in this area. In addition, in accordance with the established procedure, they can apply to a higher authority for the implementation of special preventive measures "Life" in the administrative territory and must ensure their implementation in the prescribed manner. At the same time, based on a general analysis of committed intentional homicides, it identifies individuals with a high probability of becoming victims of this type of crime and develops and ensures the implementation of victimological preventive measures. Thoroughly studies the personality (socio-demographic, spiritual-psychological, criminal-legal, and biophysiological characteristics) of the person who committed the crime of premeditated murder, and based on the results of the study, develops and ensures the implementation of individual educational and preventive measures with categories of persons possessing these characteristics or features (previously convicted, minors, recidivists, persons serving sentences not related to imprisonment), based on the requirements of the principle of differentiation and an individual approach to preventive measures.

Also, in order to maintain public order and ensure the safety of citizens in the administrative territory, in particular, to prevent premeditated murder, it is advisable to effectively use the forces and capabilities of other sectoral services, especially patrol and guard service employees, as well as public structures.

In conclusion, it can be said that in the prevention of intentional homicide crimes carried out by internal affairs bodies, in order to reduce the probability of citizens or certain persons becoming victims of offenses in the administrative territory, it is advisable to explain to persons with a high probability of becoming victims of offenses information about necessary defense and extreme necessity in the event of an unlawful attack or assault on them, to inform the population about information about antisocial behavior, about prepared, committed or committed offenses, about the trust, hotlines, rescue services organized under the internal affairs bodies, as well as to organize public discussions of draft preventive programs and measures, to identify and eliminate problems and shortcomings in the process of their implementation, to organize websites, blogs, chats on the World Wide Web, to explain to the population through periodicals, radio and television where, to whom and in what order to appeal when becoming a victim of a criminal act, and to distribute electronic literature on modern methods of crime prevention

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