



OBJECT OF ILLEGAL ACQUISITION OF FIREARMS, AMMUNITION, MAIN PARTS OF FIREARMS, EXPLOSIVES, EXPLOSIVE DEVICES OR DETONATORS

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Currently, the national criminal law science has fully developed tools that allow for a detailed study of the content of any criminal-legal phenomenon. One of the methods used for this purpose is criminal law analysis, which is a logical process of breaking down criminal law norms into individual elements and characteristics. This process is carried out in a specific order and ultimately represents the system.

The essence of illegal trafficking in weapons, ammunition, main parts of firearms, explosives, explosive devices, or detonation equipment is constituted by their criminal components, i.e., objective and subjective elements (characteristics). It is on this basis that the legislator has the opportunity to define socially dangerous acts as crimes in criminal legislation norms. Criminal liability is established for a person who violates the requirements of these rules (commits a crime) based on criminal law principles. Therefore, for the correct application of criminal law norms in practice (qualification, differentiation from similar crimes, and sentencing), legal scholars and judicial and investigative practitioners are required to conduct a thorough and in-depth legal analysis of these norms[1].

According to R. Kabulov, "the corpus delicti occupies one of the central positions in criminal law theory and is of great importance in the activities of law enforcement agencies. According to part 2 of Article 16 of the Criminal Code, the basis for prosecution is the commission of an act that contains all the elements of a crime provided for by criminal law"[2].

L.V. Ivanova emphasizes that "the object of a crime is one of the four mandatory elements of the corpus delicti, and therefore it constitutes the main component of criminal liability. It is precisely the object that determines, first and foremost, the social essence of the act and its degree of danger to society"[3].

R. Kabulov states, "Any crime provided for in criminal law encroaches upon certain social relations; there is no crime that does not harm some form of social relations. The conclusion from this is that in determining the object of a crime, it is first necessary to recognize social relations as the object of a crime. Moreover, only social relations protected by criminal law can be the object of a crime. Consequently, not all social relations in society can be the object of a crime, but only those that the legislator, based on social conditions, has deemed necessary to protect through the method of criminal-legal prohibition. Naturally, in such cases, we are referring only to social relations that are extremely important and significant for the interests of the state and society, where a socially dangerous act can cause serious harm"[4].

According to R. Kabulov, "correctly identifying the elements of a crime is important not only in determining which type of crime the act belongs to, but also in assessing the degree of social danger of the act committed by the guilty party, and in resolving whether the act committed by the person

can be considered a crime. When discussing a crime, the analysis of whether the committed act is a crime or not is carried out based on the elements of the crime"[5].

According to Russian scholars, for a long time in criminal law theory, the content of the object of encroachment was considered to be social relations protected by criminal law, which were infringed upon by a socially dangerous and criminally punishable act[6].

In his time, Professor N.D. Durmanov rightly noted that "if an object is not protected by law, then an encroachment on it cannot be considered criminally punishable"[7].

R. Kabulov states that "one of the elements of the corpus delicti is the object of the crime. The object of a crime is understood as social relations protected by criminal law. Criminal law protects precisely these social relations (the object of crime) from criminal encroachments"[8].

According to L.V. Ivanova, "the object of a crime is one of the four mandatory elements of the corpus delicti, therefore the object represents a component of the basis for criminal liability. It is the object that primarily determines the social essence of the action and its social danger"[9].

Rossiya jinoyat huquqi nazariyasida jinoyat obyekti jinoyat sodir etgan shaxs tomonidan tajovuz qilinadigan va jinoyat natijasida zarar yetkazilgan yoki yetkazilishi mumkin bo'lgan narsa sifatida belgilanadi[10].

According to R. Kabulov, "the object of a crime is a specific encroachment aimed at causing harm or creating a real threat of harm as a result of committing a crime, and social relations protected by criminal law"[11].

According to V.K. Glistin, "the mechanism of causing harm is always connected with the criminal's influence on any elements of social relations - their subject, activity, or subject of relations." Interest is disrupted only by destroying protected relationships or creating a relationship that contradicts the interests of society"[12].

In some cases, based on the same object, one crime can be distinguished from another. Without establishing the object of the crime, it is impossible to correctly qualify the criminal act[13].

According to M.Kh. Rustambayev, "the object of the crime allows one to determine the nature of its social danger through the impact of the criminal act on society and social relations"[14].

L.V. Ivanova emphasizes that "the definition of a specific object of crime serves as a certain criterion for determining the nature and degree of its social danger, and also plays an important role in qualifying any criminal act"[15].

A.H. Mukhiddinov correctly points out that "the object of a crime is one of the elements of the corpus delicti. Any crime encroaches upon a particular object. Therefore, correctly identifying the object of the crime allows for determining the legal essence of the crime, and most importantly, enables proper qualification of the act based on the damage inflicted on the object of the crime"[16].

The object of a crime is studied in the General Part of Criminal Law as an element of the corpus delicti, and in the Special Part as a necessary element of a specific corpus delicti. Examining the characteristics of the object plays a crucial role in the practice of applying criminal legislation[17].

R. Kabulov states that "correctly identifying the object of a crime allows for revealing the legal nature of a socially dangerous act, determining its form and content, as well as the range of subjects, and distinguishing it from other crimes and offenses"[18].

In our opinion, it is possible to distinguish one crime from another based specifically on the object, for example, differentiating between the illegal trafficking of firearms, ammunition, main parts of firearms, explosives, explosive devices or explosive equipment, and the illegal possession of firearms, ammunition, main parts of firearms, explosives, explosive devices or explosive equipment.

Object (from Latin *objicio* - I put forward, I oppose) is something that stands in opposition to the subject in its practical and cognitive activity[19]. This philosophical definition emphasizes the property of interdependence, which changes the characteristics and properties of an object as a result of its interaction with the subject[20].

R. Kabulov states that "from a criminal law perspective, the object of a crime is of great importance, as it is a necessary element of the *corpus delicti*. If a person does not violate or threaten to violate social relations protected by criminal law, their act does not contain the elements of a crime. The socially dangerous behavior of a guilty person can be recognized as a crime only in one case: if this behavior is directed against certain social relations, that is, against a specific object protected by criminal law"[21].

According to M.Kh. Rustambaev, "the object of a crime is the social relations protected by the Criminal Code, against which the criminal encroachment is directed and which may be harmed by this encroachment"[22].

For example, Article 2 of the Criminal Code states: "The objectives of the Criminal Code are to protect the individual, their rights and freedoms, the interests of society and the state, property, the natural environment, peace, and the security of humanity from criminal encroachments."

A.S. Yakubov emphasizes that "through the object of crime, the socio-political content of criminal law and the nature of the social danger of the encroachment are determined"[23].

In monographic literature and specialized studies, there are different viewpoints on the concept of the object of crime. One group of authors (who constitute the majority) adheres to the traditional understanding of the object of crime as social relations, while the second group of scholars includes other qualities and characteristics (legal values or interests) inherent to the object of crime alongside social relations[24]. A third group rejects the universality of the theory of the object of crime as social relations, emphasizing the need to understand it solely as legal values[25].

M.M. Kalandarov, taking into account the approach of the second group of scholars, notes that the views of the third group on the concept of the object of crime have not yet been fully explored in science.

Even one of the representatives of this approach, A.E. Zhalinsky, noted that "legal values have not yet fully expressed themselves in the new theory of the object of crime"[26].

According to M.M. Kalandarov, "the object of crime consists of the totality of social relations protected by criminal legislation"[27].

In criminal law theory, the object of a crime is understood as social relations protected by criminal law. Any social relationship protected by criminal law is considered the general object of crime[28].

According to R. Kabulov, "based on the content of social relations protected by criminal law, the object of a crime is divided into general, special, generic and direct objects, and the Special Part of the Criminal Code is systematized on this basis. In criminal law theory, only social relations are understood as the object of crime"[29].

M.Kh. Rustambaev states that "the object of the crime of illegal possession of firearms, ammunition, explosives, or explosive devices is public safety"[30].

For example, **the direct object** of the crime of illegal possession of firearms, ammunition, explosives, or explosive devices is the social relations that govern the procedure for the production, sale, purchase, storage, and use of firearms, ammunition, explosives, or explosive devices. **The additional object** is the social relations that ensure the inviolability of citizens' lives and health[31].

In conclusion, it should be emphasized that the general and direct objects of illegal possession of firearms, ammunition, main parts of firearms, explosives, explosive devices, or explosive devices, as mentioned above, are related to social relations regulating public safety in the sphere of illegal trafficking of firearms, ammunition, main parts of firearms, explosives, explosive devices, or explosive devices. We believe that the illegal acquisition of these items poses a real threat of harm to the life, health, public order, and public safety of citizens.

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