



THE CONCEPT OF ORGANIZED CRIME AND CERTAIN ISSUES IN COMBATING IT

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<https://doi.org/10.5281/zenodo.18631314>

Abstract: This article presents the concept of organized crime, views of scholars, and certain issues related to combating organized crime.

Keywords: Organized crime, transnational, state, crime, organized group, association, opinion, concept, cooperation. All reforms being implemented in the social and political spheres of the Republic of Uzbekistan are, in essence, aimed at comprehensively ensuring human interests. The state policy implemented in the field of combating crime also aims to protect human interests. However, despite this, there are negative factors hindering the fundamental reforms being carried out in our country for the benefit of individuals, one of which is organized crime.

The concept of organized crime is defined differently in various countries and by different researchers. Therefore, one of the main issues in studying this problem is correctly defining the concept of "organized crime." By correctly defining the concept of organized crime, we can properly approach the fight against this problem.

To clarify the concept of organized crime, it is first necessary to explain its specific features and characteristics, and then to clarify the methods of its commission. This shows us how organized crime differs from other types of crime.

The United Nations, emphasizing the importance of this problem, considers organized crime one of the "new challenges and threats to humanity"[1]. On November 15, 2000, the UN Convention "On Combating Transnational Organized Crime" was signed and adopted, which was ratified by the Republic of Uzbekistan on August 30, 2003, and entered into legal force in Uzbekistan on November 8, 2004.

This convention[2] does not contain a definition of the concept of "organized crime." However, Article 2 of this Convention contains a definition of an organized criminal group and reveals its characteristics, in which it defines an "organized criminal group" as a group of three or more persons existing for a certain period of time and acting jointly, directly or indirectly, for the purpose of obtaining financial or other material benefits, for the commission of one or more serious crimes or offenses recognized in accordance with this Convention.

This definition is the basis for defining the concept of "transnational organized crime," which, by listing its characteristics, is given in Article 3 of the Convention and indicates that the crime has a transnational character if:

- a) committed in several states;
- b) it was committed in one state, but a significant part of its preparation, planning, management, or control is carried out in another state;
- c) committed by a criminal group (collective) in one state and having spread its criminal activity to several countries;
- d) it was committed in one state, but its main consequences occur in another state.

Analyzing the criminal legislation of the Republic of Uzbekistan, no laws of the Republic of Uzbekistan define organized crime. However, Article 29, Part 4 of the Criminal Code defines organized groups and criminal associations as follows: "The prior association of two or more persons into a group for joint criminal activity is recognized as an organized group," and Part 5 states: "The prior association of two or more groups for criminal activity is recognized as a criminal association."

German police experts have defined organized crime as... "a selfish, deliberate, long-term joint activity of several (most) individuals aimed at committing criminal (punishable) acts, in most cases based on the division of labor with the goal of obtaining large profits in the shortest possible time through the use of modern infrastructure"[4].

According to the legal scholar V. D. Malkov, organized crime is an integral complex of organized crimes, since these individual crimes can be group, organized[5].

Indeed, it would be incorrect to consider organized crime as a specific type of crime. Because any type of crime can be committed by an organized group, and in such a case, it is considered an organized crime. That is, drug addiction, terrorism, extremism, extortion, robbery, economic crimes and a number of other crimes, if committed in an organized manner, are considered as organized crime.

I.V. Godunov considered organized crime "a negative social phenomenon consisting of organized criminal activity of a permanent nature in the form of committing numerous crimes on a criminal and professional basis for the purpose of enrichment by criminal means"[6].

In general, one of the most dangerous types of crime is organized crime, which is one of the main threats to the security of any state and its citizens. Therefore, if any state does not take decisive measures to eradicate organized crime, it will lead to an increase in citizens' distrust of the government, as well as to an increase in negative phenomena in the state, such as corruption, theft of state and citizens' property, and, as a consequence, the decline of the public administration system.

Representatives of organized crime, known in the criminal world, are distinguished by the fact that they drive luxurious houses, expensive cars, and thereby stand out among citizens at various events, and thanks to their gained reputation, they solve various problems among citizens through street solutions and in return receive a share.

These very qualities are the reason why many young people aspire to them and strive to earn easy money and gain fame like them.

Effectively combating organized crime is one of the main tasks of law enforcement agencies in the state.

The fight against organized crime by any law enforcement agency or any state alone will not be effective. Because organized groups, in carrying out their criminal activities, establish mutual cooperation with partners in foreign countries or other groups within the state, and in these cases, acting alone is considered ineffective.

In conclusion, one of the main factors in the fight against organized crime by law enforcement agencies is ensuring cooperation with state organizations, law enforcement agencies of foreign countries, and international organizations in this area.

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