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### **RESEARCH ARTICLE**

#### **MONEY LAUNDERING PREVENTION.**

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#### **Abstract**

In the article, the author investigated crime prevention issues. In particular, the researcher studied the problems of preventing money laundering. The article presents the experience of the Republic of Uzbekistan. The main object of the research was the theoretical and practical issues of the prevention of money laundering. The author drew attention to the fact that the legalization of income derived from criminal activity represents a serious threat to national interests since it is a necessary condition for the creation and functioning of organized crime in various spheres of social life. In conclusion, recommendations for the prevention of crime were given.

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#### **Introduction:-**

In our country, systematic work is being carried out to strengthen peace and tranquillity, protect public order and early crime prevention.

Over the past two years, more than 100 legal acts aimed at improving crime prevention and prevention have been adopted. A significant event in the development of modern criminal policy of the state, indicating its transition to a qualitatively new level, was the approval in 2018 of the Concept for improving the criminal and criminal procedure legislation of the Republic of Uzbekistan, and the Concept for improving the criminal and criminal procedure legislation of the Republic of Uzbekistan. In addition, in accordance with the Presidential Decree of 2018 "On the introduction of a qualitatively new system of policing, crime prevention and combating crime in the city of Tashkent", a qualitatively new system of policing, crime prevention and combating crime was introduced in the capital. The structure and powers of all parts of the internal affairs bodies were revised, 73 departments of internal affairs were organized as an experiment in the capital.

To bring the internal affairs bodies closer to the population, 65 per cent of the employees were transferred to work at the lower levels. Decent social and living conditions have been created for their effective service directly on the ground. As a result of the organization of work to protect public order and early warning of offences with the participation of the general public, crime was reduced last year.

Due to the introduction of the Safe City, Safe Tourism, Safe Home systems and the establishment of round-the-clock patrols in people, the belief in safe living conditions, justice and the rule of law has strengthened.

As the President of the Republic of Uzbekistan Shavkat Mirziyoyev emphasizes, "it is necessary to get to the very roots of every crime, to form immunity in the society to fight crime. Otherwise, we will have to fight only with the consequences."

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Crime in the sphere of combating the legalization of proceeds derived from criminal activity, as well as crime in general - is the socio-negative phenomenon, suggesting a specific strategy to combat it.

In the literature, the definition of crime prevention is given in different ways. Crime Prevention - a multi-level system of measures and entities implementing them, aimed at:

1. neutralization of the causes of crime, its individual types, as well as the conditions conducive to them;
2. the identification and elimination of situations in certain territories or in a specific environment;
3. the identification of high criminal risk groups in the population structure and the reduction of this risk;
4. the identification of persons whose behaviour indicates a real possibility of committing crimes.

#### **Criminology:-**

Crime prevention is the activity of state and public bodies and organizations directed against crime in order to keep it at a socially tolerable level by eliminating or neutralizing the causes of it.

Crime prevention is a deliberate impact of the state, society, individuals and legal entities on the processes of determination and causality of crime in order to prevent the involvement of new persons in crime, the commission of new criminal acts and the expansion of the criminalization of public relations.

Crime prevention is a multilevel system of state and public measures aimed at identifying, eliminating, weakening or neutralizing the causes and conditions of crime, crimes of certain types and specific acts, as well as deterring people from living on the path or returning to the criminal path, and (or ) whose behavior indicates such a possibility.

However, despite all the variety of definitions of the concept of “crime prevention”, they all boil down to the fact that this is a focused activity of the state and society, the purpose of which is to eliminate, weaken, and neutralize the factors that determine crime in general, its individual types, the commission of specific crimes.

Crime prevention traditionally in the science of criminology is divided into general social and special (criminological). The general social warning is carried out through the totality of large-scale events that ensure the progressive development of society, economic, political, spiritual, family-household and other spheres.

Special prevention includes measures that are aimed precisely at the selection, removal, weakening, neutralization of criminogenic factors to correct people who can commit a crime or commits a crime again.

Measures for the general social prevention of crimes in the field of legalization of proceeds from crime include:

1. measures aimed at the development of civil society institutions;
2. measures aimed at resolving the economic situation, ensuring effective control in the field of economic activity by the state;
3. measures related to the creation of a legislative framework that would correspond to the requirements of modern realities;
4. organizational and managerial measures.

All these measures are long-term in nature and determine the main directions of crime prevention in general (crimes in the field of legalization, in particular). These measures include:

1. strengthening political institutions;
2. elimination of deformations in the structure of the economy of the Republic of Uzbekistan;
3. support for entrepreneurship and employment security;
4. stimulation of capital investments;
5. development and implementation of the latest technologies and achievements in the economic sphere;
6. preservation and creation workplaces;
7. reduction of unemployment;
8. expansion of employment opportunities;
9. introduction of innovation;
10. improvement of legislation in the first place, criminal law;
11. preservation and development of spiritual and moral heritage, and others.

Among the measures of an economic nature, it is necessary to develop a set of measures aimed at reducing the underground economy.

For this, it is necessary to strengthen state control over operations carried out by economic entities. Another step in crowding out the underground economy should be the reduction of the tax burden, while it is necessary to provide for severe responsibility for concealing incomes and to create a situation where income concealment becomes unprofitable.

The most criminal in terms of legalization opportunities are the financial sector, trade, charitable activities, etc. Accordingly, these areas should become an object of close attention in the planning and conduct of preventive measures by both regulatory and law enforcement agencies.

The strategy to combat the legalization (laundering) of money or other property acquired by criminal means should be based on the principle of economic incompatibility of legal capital and capital obtained as a result of criminal activity, the ultimate goal should be the destruction of illegal capital and capital of the underground economy as a financial basis for crime.

One of the main areas of prevention is the organization of activities to identify officials and specialists who provide their services to criminals on a professional basis.

These include both employees of those organizations who, in accordance with the law, are entrusted with the functions of carrying out operations with cash or other property, and other persons who, by virtue of their duties, are of interest to criminals.

It is necessary to increase the level of professionalism not only of law enforcement officers but also of other bodies that exercise control and oversight functions.

It is important to conduct training in higher education institutions, the employees of these bodies should have special knowledge in the field of civil, tax, financial, criminal legislation.

Along with the above measures, the implementation of educational and social measures is required. In particular, it should be created a set of measures aimed at creating a system of legal education and training.

As a result of committing crimes, persons engaged in illegal activities accumulate money or other property, the legal use of which contributes to the criminalization of economic relations, as well as the growth of corruption. Given that the legalization of income is inextricably linked with the movement of capital, this complicates the disclosure and investigation of crimes, thereby allowing criminal groups (organizations) to finance and carry out their illegal, including terrorist, activities.

Opposition to the legalization of criminal proceeds includes not only the identification and investigation of legalization with the subsequent prosecution of criminals but also a wide range of actions related to the prevention of crimes of this type.

#### **Legal base:-**

According to article 243 of the Criminal Code of the Republic of Uzbekistan, the legalization of income should be understood as giving the guilty a legitimate type of property derived from criminal activity by giving the rightful type of origin of property (cash or other property), concealment or disguise of the true nature, source, location, method of disposal, relocation, genuine rights in relation to money or other property or its affiliation.

The Law of the Republic of Uzbekistan "On the counteraction of the legalization of incomes obtained from criminal activity, the financing of terrorism and the financing of the distribution of the weapon of mass destruction" of August 3, 2004, No. 660-II in Article 3 states that "the legalization of proceeds derived from criminal activities is a criminal socially dangerous act representing imparting a lawful type to the origin of property (money or other property) by transferring it, transforming it or exchanging it, non-disclosure or concealment of the true nature, source, location, method disposition, movement, rights with respect to money or other property or its accessories if money or other assets derived from criminal activity".

Based on 40 FATF Recommendations in the following areas, it is necessary to highlight such areas of prevention and prevention of this crime as:

1. the legislative definition and criminalization of the legalization of criminal proceeds;
2. the establishment of the list of financial transactions subject to special control (suspicious transactions);
3. the introduction of customer identification requirements, the definition of the circle of financial organizations obliged to report such operations to the financial intelligence agency;
4. legislative restriction of bank secrecy;
5. the establishment of liability for violation of the law on combating money laundering.

**Conclusion:-**

The implementation of such innovations in national legislation allows us to provide effective international legal assistance in cases of money laundering, including the detection and return of exported criminal capital from abroad.

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