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**RESEARCH ARTICLE**

## **ANALYSIS AND FEATURES OF THE NATIONAL LEGISLATION AGAINST TERRORISM IN UZBEKISTAN**

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**Abstract**

The article summarizes information on terrorist groups operating in the world, and statistics dates on their development. In addition, given the legislative base of the Republic of Uzbekistan on the fight against terrorism and forensic methods for disclosing such crimes.

**Key words:**

Terrorism, extremism, terrorist organizations, laws on the fight against terrorism.

**\*Corresponding Author***Copy Right, IJAR, 2015,. All rights reserved***A.Zakurlaev****INTRODUCTION**

Different types of crime have existed since the advent of mankind and this 'affliction' appears in many forms. They include crimes against peace and security of mankind which differ in their severity and damage to the interests of the state and society. Terrorism is one of the most serious crimes of this group and represents not only harm to the system of government, people and society, but also aims to create panic among the population.

If we look at the historical roots of the crime, the word "terrorism" was put into practice during the French Revolution, 1793-1794. Terrorism, with a long history, is the cause of death of countless innocent people. Well-known people, great scholars and statesmen became the victims of terrorism. These include the US president Abraham Lincoln, John F. Kennedy, the leaders of India Mahatma Gandhi, Indira Gandhi and her son Rajiv Gandhi, President of the Arab Republic of Egypt Anwar Sadat, and the author of "Siyosatnoma" Hoja Nizomul-Mulk, his sons and many other brilliant individuals.

In analyzing the statistics of terrorism for 2001-2013, in 160 countries, we can conclude that most countries have suffered human and material losses from it are Iraq, Pakistan, Afghanistan, Nigeria and Syria. Terrorist acts committed in these countries accounted for 80% of the total number of crimes of this kind.

According to statistical information after September 11, 2001, the number of cases of crimes committed in the year increased by 4 times, and the highest number of terrorist acts was committed in 2007.

Among the victims of the terrorist acts 66% affected by the Action 4 the most serious terrorist organizations: the Islamic State (IS), Boko Haram, al-Qaida and the Taliban.

Considering the danger of this crime and its serious consequences, the President of the Republic of Uzbekistan Islam Karimov from the first days of independence, speaking in authoritative tribune of the world, noted that terrorism was becoming an international character, posing threat to humanity and the world, and the world community must unite in the fight with it.

At the Istanbul summit of the Organization for Security and Cooperation in Europe, held in November 1999, the head of our state put forward the idea of establishing the structure of the United Nations International Centre for

Fighting with terrorism. This idea was supported by the international community and as a practical result of its implementation, in 2001, the UN Security Council committee was set up to combat terrorism.

Uzbekistan has acceded to 14 international conventions and protocols adopted by the UN Security Council in the framework of Fight with terrorism and religious extremism.

Features of terrorism included in some of the most heinous crimes of our time, manifests increasing violence, harm to life and property of people, sowing seeds of conflict between states, bringing to the brutal wars between social and ethnic groups, increasing mistrust and hatred. The scale of terrorism and its international nature, the emergence of new types makes it necessary to establish the formation and development of the international system to combat it, the establishment of relevant international organizations, to organize their activities in a systematic manner.

On the part of the international community has adopted a number of international instruments to combat terrorism, to which the United Nations Declaration of December 9, 1994, "On measures to liquidate international terrorism", the International Convention for the Suppression of the Financing of Terrorism of 1999, measures to combat terrorism, adopted on April 15, 2002, the Vienna Declaration on Crime and Justice: responses to challenges of the XXI century, and others. In general, the UN adopted 12 instruments, 16 conventions and 2 protocols on combating terrorism.

Based on data from the international acts the Republic of Uzbekistan also passed laws on the fight against terrorism: the Law of the Republic of Uzbekistan dated December 15, 2000 "On Combating Terrorism" and the Law of the Republic of Uzbekistan dated August 26, 2004 "On combating legalization of proceeds from crime activities and the financing of terrorism".

The law "On combating terrorism" consists of 31 articles, and it reflects the powers of state bodies in the fight against terrorism, the question of compensation for damage caused as a result of a terrorist act, social rehabilitation of victims, social protection of persons involved in combat, responsibility for participation in terrorist activities and the violation of legislation on Combat against terrorism.

The law "On combating the legalization of proceeds from criminal activity and financing of terrorism" consists of 24 articles, and it reflects the organization of anti-money laundering and terrorist financing operations with cash and other assets, as well as exercising their organizations, information related to the prevention of legalization of proceeds from criminal activity and terrorist financing.

In addition, the death penalty for the commission of a crime under part 3 of Article 155 (terrorism) of the Criminal Code of Uzbekistan has been canceled, and the given crime in the present time entails imprisonment for life in accordance with the Law of the Republic of Uzbekistan "On introducing amendments and additions to several legislative acts of the Republic of Uzbekistan in connection with the abolition of the death penalty", adopted by the Legislative Chamber on June 15, 2007, approved by the Senate on June 29, 2007 and entered into force on January 1, 2008.

Criminal liability for terrorism is provided for in Article 155 of the Criminal Code of Uzbekistan. It reads:

"Terrorism - violence, use of force, and other acts that endanger person or property, or the threat with them to compel public authorities, international organizations, their officials, natural or juridical person to do or abstain from doing any activity in order to complicate international relations, violation of the sovereignty and territorial integrity, undermining state security, provoking war or armed conflict, destabilizing the social and political situation, intimidate population, as well as activities aimed at ensuring the existence of functioning, financing of a terrorist organization, preparation and commission of terrorist acts, directly or indirect provision or collection of any resources and other services to terrorist organizations or persons assisting or participating in terrorist activities -

shall be punished with imprisonment from eight to ten years.

Attempted murder, causing bodily injury to a state or public figure or representative of authority committed in relation to their state or public activities to destabilize or influence decision-making by public authorities or obstructing political or other public activities - shall be punished with imprisonment from ten to fifteen years.

Actions envisaged in the first or second paragraph of this Article, resulted in:

- a) the death of a person;
- b) other grave consequences -

shall be punished with imprisonment from fifteen to twenty-five years or life imprisonment."

Taking into account the graveness and social danger of this crime, were made additions to the Criminal Code of Uzbekistan on *not reporting about terrorist acts being prepared or committed* and *getting training with purpose of committing terrorist acts*, articles 155<sup>1</sup> and 155<sup>2</sup> accordingly.

The Article 155<sup>1</sup> was named as "Not reporting the information and fact about terrorist acts being prepared or committed", and that is, for not reporting the facts and information about realistically known being prepared or committed crime of the terrorist nature which is proved with materials of the preliminary investigation and judicial

hearing, provided in articles 155, 155<sup>2</sup>, 158, 159, 161, 242, 245, 254, 255<sup>1</sup> and (or) 264 of persisting Code, - is punished by fine from one hundred to three hundred times of the minimum subsistence wage or corrective works up to three years or deprivation of the liberty from three to five years.

If the crimes of the terrorist nature cause:

a) death of a person;

b) other heavy consequences, -

shall be punished with a fine in the amount of three hundred to six hundred times of the minimum subsistence wage or deprivation of the liberty from five to seven years.

The Article 155<sup>2</sup> was given the name “Taking training in purpose of the realization of terrorist activity”. Taking education, undoubtedly training conducted in purpose of the realization to terrorist activity or completion of one of the crimes, provided articles 155, 158, 159, 161, 242, 245, 254, 255<sup>1</sup> and (or) 264 of persisting Code, including acquisition of the knowledge, practical skills and skill of completion of the specified crimes, study in the course of learning the ways of the conduct with weapon, explosive devices, other explosives, poisoning materials, presenting danger for surrounding, - is punished by fine from three hundred to six hundred times of minimum subsistence wage or corrective works up to three years or deprivation of the liberty from five to seven years.

The Person perpetrated a crime, provided in the mentioned articles, is freed from criminal liability if with his/her own consent reported the law enforcement agencies on taking education, raining conducted in purpose of the realization of terrorist activity or completion of one of the crimes, provided articles 155, 158, 159, 161, 242, 245, 254, 255<sup>1</sup> and (or) 264 of Criminal Code, and actively promoted opening the committed crime or discovery of the other persons who took such education, realized, organized or financed such education, as well as places of its undertaking. This chance is given to the reporter on condition that there are no signs of other crimes in reporter's actions.

The next change against terrorism which was made into article 21 of the Law “On the citizenship of the Republic of Uzbekistan” on July 2, 1992 reads as follows: “the person can lose the citizenship of Uzbekistan if he/she runs activity for the benefit of foreign country or causes serious damage to the interests of state and society by committing crimes against peace and security of people”.

From the aforementioned it is obvious that systematic and concrete measures are taken in Uzbekistan to combat against terrorism.

It should be noted that as a result of legal reforms a system of fast and complete solving of criminal cases with terrorist nature was improved and special methods of investigating the crimes of terrorist nature was developed.

In conclusion, together with the achievements gained we need to implement the most important elements of developed countries' legislations and practices. Besides that, it is significant to increase the morality of our people and to inform people about the bad consequences of terrorism.