

Application of Compulsory Measures Against Minors

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Abstract

this article describes in detail the reforms implemented in the internal affairs bodies, coercive measures applied to minors, the procedure for placement of minors in special educational institutions, minors placed in educational institutions of the Republic.

Keywords: Crime Statistics, "Hodimbay", "Mahallabay", "Citizen", Probation, Inquiry, Cybercrime, Coercive Measures, Apology, Special Educational Institution, Etc.

Introduction

Reforms implemented in internal affairs bodies. During the period of establishment of new Uzbekistan, fundamental reforms are being carried out in the system of internal affairs bodies. The 1st stage of reforms started on the basis of the decree of the President of the Republic of Uzbekistan No. PF-5005 of April 14, 2017, and in this regard, 13 laws, 9 decrees of the President, 40 decisions and 3 orders, 115 Government decisions, 167 interdepartmental documents were adopted. The management system of the internal affairs bodies was fully optimized, and 85 percent (previously 54 %) of personnel were provided to serve directly in places convenient for the population. For this, additional 261 new (previously 108) departments of internal affairs (GOM) were established for every 35-40 thousand inhabitants. 41 new departments of internal affairs were established at the expense of the local budget in large bazaars, shopping complexes and densely populated areas. Every manager and employee's perspective on fighting crime has changed radically. Their daily service activity is not chasing numbers and interest, but protecting the rights of citizens has become the first priority. Based on the generally recognized positive experience of the international community in keeping crime statistics, it has been established that it is calculated in relation to the number of 100,000 inhabitants. As of 2021, the population was 32 million 120 thousand, and as of July 1, 2023, it increased to 36.4 million. In 6 months of 2021, there were 132 crimes per 100,000 population. In order to objectively analyze the criminogenic situation, not to hide crimes, the crimes detected by the initiative of employees were transferred to the evaluation system as a positive result. In the 6th month of 2021, almost twice as many crimes (8,592 / 15,321) were detected compared to the 6th month of 2017. All industry services in the system have been reformed again. Based on the need of the times, specialized units for ensuring safe tourism, probation, investigation and combating cybercrime have been newly introduced. Instead of fighting with the consequences of crime in the neighborhoods, they switched to early prevention. The prevention inspector was designated as the deputy of the neighborhood chairman for law

enforcement. 362 inspectors on women's issues were established to realize the legal interests of women and ensure their safety. (previously this task was carried out by the prevention inspector) A number of innovative approaches have been introduced in order to fully implement the principle of "crime must be punished". Audio-video recording of each (7) procedural actions related to the detection of crimes was established, and advanced criminalistic tools, remote interrogation and mobile investigation platforms were introduced to the field. In order to ensure public security, a 3-level patrol service of the internal affairs bodies was organized in cooperation with the National Guard and the public. Measures are being taken to increase the capacity of personnel and eliminate corrupt factors in the system. Tasks for the next period: First, measures will be taken to fundamentally improve the service activities of internal affairs bodies in the field of public safety. In this regard, a unified management system of available forces and means will be introduced, with the National Guard strictly dividing the areas of responsibility for maintaining public order in the streets and public places. In turn, modern information and communication systems will be introduced to remotely manage all patrols and patrols, to increase the efficiency of their service activities. Secondly, to increase the professional knowledge level of all personnel serving in the system, to "Serve the Motherland and the people with loyalty - the highest duty!" spiritual and educational work will be launched in a completely new way in the system regarding the implementation of service activities based on a good idea. In this regard, j.y. until the end, the professional qualification of more than 17,000 employees will be improved, mobile training courses will be held with more than 2,000 prevention inspectors, and 200 tactical training sessions will be held to increase the level of combat readiness of employees. On the other hand, the "Khodimbay" system will be introduced, which is aimed at raising the moral outlook of employees, ensuring that they are polite to citizens, to evaluate each employee's behavior individually, and to carry out specific educational activities based on his behavior. Thirdly, "neighborhood" curbing of crime, especially protection from criminal attacks on a person's life, health and property, in this regard, the practice of "civilian" work with unorganized youth, teenagers with deviant behavior, unhealthy and antisocial people comprehensive rapid and preventive actions on acceleration will be carried out in the area. Fourthly, comprehensive measures aimed at ensuring road safety, especially the prevention of serious accidents, will be implemented. Within the framework of these activities, the introduction of "Traffic Rules" as a compulsory subject in all educational institutions, the organization of "Traffic Safety Classrooms" in schools, and the teaching of the basics of traffic safety to children in pre-school educational institutions will be launched. On the other hand, traffic lights controlled by pedestrians, autonomous lighting equipment for unlit areas, and radar devices for automatic speed measurement will be installed on busy road sections. Fifth, in order to create additional conveniences for citizens, to avoid conflicts of interest in the main service activities and to reduce the impact of the "human factor", the work of gradually digitizing the system will be continued. Coercive measures applied to minors. Comprehensive measures are being implemented in our country aimed at raising a healthy and mature generation, bringing up spiritually and morally, physically mature, patriotic young people loyal to our national traditions and values, and turning them into active and enthusiastic participants in the ongoing large-scale reforms. At the same time, the participation of specialized educational institutions in this process, as well as the education of a physically and mentally healthy person, and the formation of the feelings of hard work and striving for perfection in children require further improvement. Article 88 of the Criminal Code of the Republic of Uzbekistan applies the following coercive measures against minors: - imposing an obligation to apologize to the victim in the form determined by the court; - oblige a person who has reached the age of sixteen to pay or eliminate the damage at his

own expense or with his labor; - placement of a minor in a special educational institution. According to Article 195 of the Criminal Code of the Republic of Uzbekistan, a minor apologizes to the victim verbally or in writing, in front of the majority or individually. The place, time and order of the apology will be determined by the court, and an appropriate document will be drawn up on the execution of this coercive measure. The payment or elimination of the damage caused by a minor at the expense of his own funds or with his own efforts shall be carried out in the manner and within the time limits set by the court, and an appropriate document shall be drawn up on the execution of this coercive measure. This measure is applied if the damage caused does not exceed ten times the amount of the basic calculation. In other cases, the damage caused will be recovered in the civil legal procedure. The procedure for placement of minors in a special educational institution. When placing minors in specialized educational institutions, a full and correct assessment of their social status, personal characteristics, and the level of danger of their committed act remains an urgent issue. Minors are placed in special educational institutions of public education bodies in accordance with the procedure established by law. The order and conditions of the stay of minors in special educational institutions, the organization of work related to the educational process and educational impact are determined by the Ministry of Public Education of the Republic of Uzbekistan. Today's situation in specialized educational institutions requires quality organization of the educational process on the basis of state educational standards, improvement of the skills and qualifications of teachers, educators, psychologists and other employees in the field of education and vocational training. Resolution No. 4342 of the President of the Republic of Uzbekistan dated May 29, 2019 "On the fundamental improvement of the activities of specialized educational institutions" was adopted. According to this Decision: Republican educational institution for girls at the address of "Gulzorabad" neighborhood, Chinoz district, Tashkent region; Republican boys' educational institution was located at "Tadbirkor" neighborhood, Bakht city, Syrdaryo region, Syrdaryo district. The following: Republican educational institution for boys to the National Guard of the Republic of Uzbekistan; The Republican girls' educational institution was attached to the Ministry of Internal Affairs of the Republic of Uzbekistan. As stipulated in this Decision: The National Guard of the Republic of Uzbekistan and the Ministry of Internal Affairs of the Republic of Uzbekistan, respectively, will support the timely provision and improvement of living conditions of the Republican Boys' Educational Institution and the Republican Girls' Educational Institution. to form physically strong, mentally fresh, educated, patriotic, selfless, broad-minded young people, to educate students in the spirit of loyalty to the Motherland; • The Ministry of Public Education of the Republic of Uzbekistan is responsible for the establishment of quality education and the educational process in the educational institutions of the Republic, the meaningful organization of free time of the students, and the development of their intellectual, physical and creative abilities. • According to this Decision: • Minors between the ages of 14 and 18 are placed in educational institutions of the Republic. The following are the educational institutions of the Republic: • who has committed socially dangerous acts, but has not reached the age to be held criminally liable, or is not able to fully understand the significance of his act due to being behind in development compared to his age, not related to mental illness; • released from criminal liability before the question of guilt has been resolved, materials for consideration by the district (city) commission on children's issues • Juveniles who have been freed from criminal punishment with the use of coercive measures in the form of placement in educational institutions of the Republic; • Juveniles who continue to regularly commit crimes or other antisocial behavior, despite the fact that individual prevention work is being carried out, are placed on the basis of a court decision; The

above-mentioned minors will be admitted to study only in the educational institutions of the Republic starting from the 2019/2020 academic year. The admission of minors to the special light industrial college in the city of Koqan and boarding school for boys No. 64 in the city of Samarkand will be suspended. Minors educated at the special light industrial college in Koqan and boys' boarding school No. 64 in Samarkand will complete their studies in these institutions according to the established procedure. The number of students in the groups and classes in the educational institutions of the Republic is determined to be 15-20 people, as an exception, it is allowed to open classes in these institutions regardless of the number of students in agreement with the relevant financial authorities. Minors living in families in socially dangerous situations, as well as other minors in need of state and public assistance, who are left without the control and care of their parents or substitutes, their behavior, psychological portrait, age, talents, abilities, interests and taking into account other factors, based on the recommendation of the district (city) commission on children's issues, on the basis of the decisions (referrals) of the relevant ministries and agencies, they are placed in general education or specialized educational institutions under the jurisdiction of the ministries and agencies during the academic year. Ministries and agencies that own general education or specialized educational institutions allocate up to 5% additional quotas for minors sent to institutions based on the recommendation of the district (city) commission on children's issues. Minors who are sent to institutions during the vacation, if it is not possible to return them to their parents or their substitutes, until the beginning of the educational process in the institutions, based on the decision of the district (city) governor, they are temporarily brought up in "Mehribonlik" houses according to the referral of the relevant public education body; Ministries and agencies with general education or specialized educational institutions:

✓ Starting from the 2019/2020 academic year, minors who are sent based on the recommendation of the district (city) commission on children's issues will be admitted to institutions on an exceptional basis free of charge, without tests and additional exams;

✓ Based on the recommendation of the district (city) commission on children's issues, a separate mentor will be assigned to each minor and will constantly monitor his education, help them find employment after graduating from institutions. Centers for socio-legal assistance to minors of the internal affairs bodies submit a conclusion to the district (city) commission on children's issues about the expediency of placing the minor in the institution or in the educational institutions of the Republic within a maximum period of forty-five days; From September 1, 2019, managers and pedagogues of specialized educational institutions, including educators and assistant educators, will be paid a monthly bonus in the amount of 75 percent of the basic tariff rate for special conditions of work. Starting from May 1, 2021, the teachers of the branch of general secondary school No. 35 under the educational colony of the internal affairs bodies and the educators of the educational colony, including the educators belonging to the certified staff, regardless of the current bonuses and payments, will receive the basic tariff rate and position for individual working conditions, as appropriate. an additional monthly allowance in the amount of 75% of the salary is paid.

➤ Offer and negotiation.

➤ In conclusion, we can say that the following features can be seen in the criminal character of minors:

➤ offenses committed by minors in most cases are committed by them when they are 14-15 years old;

➤ Offenses committed by minors are often committed recklessly;

- the juvenile delinquent has no interest in studying, personal development and work, but instead has a strong interest in entertainment, alcohol and drugs;
- In most cases, the family of the juvenile delinquent does not have a healthy family environment and is in a difficult financial situation. Instead of a proposal, we can say that the type of coercive measures applied to minors, if the minor commits a crime of low social risk for the first time or not very serious, is a warning and guardianship of parents or their substitutes, or in their absence. or we suggest introducing a coercive measure in the form of placing it under the control of the sponsoring body. Our second suggestion is that our legislation does not specify the period of enforcement of coercive measures applied to minors. We think it would be a good idea to set a deadline.

References

1. <https://lex.uz/docs/4357207>;
2. <https://iiv.uz/oz/news/ichki-ishlar-organlari-tizimida-amalga-oshirilgan> islohotlar;
3. <https://www.gazeta.uz/oz/2023/08/09/population/> ;
4. <https://lex.uz/docs/111453>; 5. <https://lex.uz/docs/163629>.