

Theoretical and Legal Analysis of the Causes of the Crime and the Conditions Conducive to its Committing

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Annotation. The article analyzes the opinions of experts in the field of crime prevention of investigative bodies, their concept, content, as well as normative legal documents in the field of crime prevention of investigative bodies. Investigative bodies pay special attention to the issue of crime prevention. In the concluding part of the article, it is explained that the organization of a new mechanism of preventive activities and its effective planning are of great importance in the early prevention of crimes.

Keywords: Crime prevention, causes and conditions of crime, types of crime prevention, investigation prevention, presentation, criminal trial.

In legal literature, the concepts of crime prevention and crime prevention are used in the same sense. The word "prophylaxis" is derived from the Greek word "prophylaktikos", which means "preventer", "preventer", "measures taken to prevent an event".

In normative legal documents, the term prevention is defined as a system of legal, social, organizational and other measures used to maintain and strengthen law and order, to identify and eliminate violations, as well as to identify and eliminate the causes of violations and the conditions that make them possible. defined.

Forms of implementation of crime prevention: written; oral; demonstrative; practical help.

The written form of prevention of crimes, mainly articles in newspapers and magazines about the causes and conditions of crimes, publishing reports, stories, essays about committed crimes, posting written announcements in crowded places, informing citizens about the causes and conditions of detected crimes, as well as the possibility of being victimized by crimes. and manifests itself in sending letters calling for vigilance, submissions, official warnings, informing about the reasons for the commission of offenses and the conditions that make them possible. The verbal form of crime prevention is observed in interviews, lectures, question-and-answer sessions, radio broadcasts, broadcasting of voice-text tapes calling for awareness in crowded places (for example, markets, metro stations, supermarkets or hypermarkets). In the demonstration form of crime prevention, programs, movies, videos about crimes are prepared and broadcast on television and social networks, posters and announcements with the content of crime prevention in crowded places are used, multimedia tools are used in the process of showing videos, meetings, lectures. There are such preventive measures that can be carried out both orally, and in writing, and in visual form (for example, giving a lecture, holding an individual conversation, etc.). The form of practical assistance differs from other forms of crime prevention by its specific aspects. In this case, crime prevention entities provide services aimed at preventing crimes to citizens and legal entities. These services include the connection of residents or legal entities to the central security control panel or the provision of protection of houses, buildings and structures through security services. So, types, methods and forms of crime prevention form the content of crime prevention activities. Knowledge in this regard guarantees the effective organization and implementation of crime prevention.

Crime prevention activities of preliminary investigation bodies are compatible with the general theoretical basis of crime prevention, that is, both concepts are intrinsically connected and complement each other. However, it should be emphasized that investigative bodies play an important role in determining the causes and conditions of the crime, which is the basis of the entire preventive activity and is of decisive importance in determining its directions. In this matter, the Russian scientist I.R. Verenchikov, the importance of studying the crime prevention activity of the investigator is determined by the fact that he is the main subject of the social prevention of crimes. He emphasized that it serves as a basis for subjects.

Criminal procedural law and other legal literature do not provide a separate definition of the concept of crime prevention activities of investigative bodies. However, the basis of the activity of investigative bodies

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is the prevention of crimes, along with the detection of committed crimes. In this case, the duty of investigative bodies to determine the causes of the crime and the conditions that made it possible to commit it is to take measures to prevent crimes, which is one of the tasks of legal documents.

The legal scholars who developed the legal encyclopedia of Uzbekistan noted the prevention of crimes as one of the main tasks of the criminal process, and noted that the task of this activity is to determine the causes of the crime and the conditions that allowed it to be committed. In our opinion, this definition should be completed from the point of view of criminal procedure. Article 297 of the Code of Criminal Procedure: "... the investigator, investigator, prosecutor during the investigation of a criminal case shall determine the causes of the crime and after clarifying the conditions that allowed it to happen, submits a proposal to the relevant state body, citizen self-government body, public association, team or official to take measures to eliminate these reasons and conditions. From this point of view, the crime prevention activity of investigative bodies consists not only of determining the causes of the crime, the conditions that allowed it to be committed, but also of taking procedural measures to eliminate them.

In the legal literature on criminal law, prevention of crimes is defined as ensuring that socially dangerous actions are not committed by forming a level of legal consciousness that determines legal behavior as a separate norm. We agree with this definition from the point of view of criminal law. Because, through the criminal law, by determining the responsibility for committing certain actions, the norms of legal behavior are formed in people and its limits are established.

The causes of crimes and the conditions that enabled them to be determined within the framework of crime prevention activities of investigative bodies are of decisive importance in both directions of crime prevention mentioned above.

In our opinion, it is appropriate to study the crime prevention activities of investigative bodies conditionally divided into two interrelated stages. In the first stage, we include the tasks of identifying the circumstances that caused the crime to be committed and the conditions that made it possible by the investigative bodies during the preliminary investigation, and in the second stage, we include the tasks related to their elimination, in particular, submitting a report and ensuring its execution.

Based on the above-mentioned points, we believe that it is necessary to put forward the following author's definition of crime prevention activities of investigative bodies, that is, crime prevention activities of investigative bodies are to determine the causes of crimes, the conditions that made it possible to commit them, and eliminate them by conducting investigative actions. is a set of criminal-procedural actions aimed at

The main goals of organizing and carrying out crime prevention activities by investigative bodies are compatible with the goals of conducting criminal cases established in criminal procedural laws. The order of conducting criminal proceedings established in criminal procedural laws serves three purposes: first, to strengthen legality - that is, to recognize the supremacy of the Constitution and laws in conducting criminal proceedings; secondly, to prevent crimes - that is, to prevent them from committing a new crime by exerting moral and spiritual influence on the defendant and other persons; thirdly, to protect the interests of the individual, the state and the society - criminal-procedural legislation serves to protect the interests of individuals, the state or society, who have been harmed or damaged by a crime, including compensation for the material and moral damage caused.

In our opinion, it is appropriate to express the goals of crime prevention activities of investigative bodies more broadly in the following order:

- to determine the causes of crimes and eliminate the conditions that allowed them to be committed;
- ensuring the safety of citizens, protecting them from criminal attacks;
- eliminating the consequences of a socially dangerous act;
- maintaining law and order and ensuring legality;
- providing necessary information for the early prevention of crimes while identifying and eliminating the causes of crimes and the conditions that enable them;
- putting an end to the criminal activities of persons who have committed socially dangerous acts, persons who are inclined to commit such acts.

It should be noted that crime prevention activity of investigative bodies is an important issue in the legal science system. In particular, criminal law and criminal-executive law are an integral part of crime prevention activities. If the criminal law regulates the determination of the committed act as a crime and the

imposition of punishment for this crime, the criminal-procedural law regulates the activities related to the investigation of the committed crime, the preliminary investigation and the investigation of the case in court. Criminal executive law regulates the relations arising from the execution of the punishment of those sentenced to criminal punishment in connection with the commission of a crime. The interdependence of these disciplines is, first of all, in the generality of their tasks, that is, the fight against crime. Based on this, prevention of crimes is mentioned in the main tasks of both the criminal law and the codes that form the basis of the criminal-executive law. In particular, the tasks of the Criminal Code protect the individual, his rights and freedoms, society and it is defined as protecting state interests, property, natural environment, peace, human security from criminal aggression, as well as preventing crimes, educating citizens in the spirit of compliance with the Constitution and laws of the republic. The tasks of the criminal-executive code include such important goals as ensuring execution of punishment, moral correction of prisoners, and prevention of crimes.

Effective organization of crime prevention activities of investigative bodies is equally important for society and the state, safety and health of citizens. From this point of view, the legal bases of crime prevention activities in our republic are being strengthened and improved by relevant laws, decrees and decisions. Today, investigative bodies are further improving two important, direct legal bases of crime prevention activities, criminal and criminal procedural laws. With the decision of the President of the Republic of Uzbekistan "On measures to fundamentally improve the system of criminal and criminal-procedural legislation" adopted on May 14, 2018 PQ 3723, in order to develop and implement completely new priorities for improving criminal and criminal-procedural legislation, the following, first, the concept of improving the criminal and criminal-procedural legislation of the Republic of Uzbekistan was approved; secondly, the proposal of the General Prosecutor's Office of the Republic of Uzbekistan, the Supreme Court and the Ministry of Internal Affairs on the step-by-step digitalization of the procedure for the conduct of criminal cases was accepted within the framework of the preliminary project "Electronic criminal case", which provides for the following; thirdly, the interdepartmental commission on improving the criminal and criminal procedural legislation of the Republic of Uzbekistan was established and its composition was approved; fourthly, the tasks of the interdepartmental commission and the working groups on the implementation of the preliminary draft of the "electronic crime case" were defined; fifthly, the conditions and requirements for the implementation of the initial project of "electronic crime case" were determined. It should be noted that, in addition to criminal and criminal-procedural laws, a number of regulatory legal documents have been adopted in our republic to combat crime, in particular, to prevent crimes. it keeps a whole mechanism working.

In particular, the laws of the Republic of Uzbekistan "On Internal Affairs Bodies", "On Prevention of Offenses", "On Prevention of Offenses", the President of the Republic of Uzbekistan "Radically improving the effectiveness of internal affairs bodies, public order, civil rights, freedoms and legal interests" on measures to strengthen their responsibility in providing reliable protection", "On approval of the concept of public security of the Republic of Uzbekistan and measures for its implementation", "On additional measures to improve the system of combating corruption in the Republic of Uzbekistan", "On making the Republic of Uzbekistan more the Decrees of the President of the Republic of Uzbekistan "On measures to further improve the system of crime prevention and combating crime", "Ensuring public safety Decrees and decisions "On additional measures to increase the efficiency" are used as important legal and organizational bases of crime prevention activities. In the decision No. 565 of the Cabinet of Ministers of the Republic of Uzbekistan dated September 10, 2021 "About the approval of the regulation on the procedure for discussing the causes of crimes and the conditions that made it possible to commit them" we can see that the main goal is to discuss the conditions among the public on the basis of the system of "Truth and Justice of Fighting Crime", to ensure the mutual cooperation of the bodies and institutions involved in the prevention of crimes in this regard, and to coordinate their activities. In this decision, "The discussion of the causes of crimes and the conditions that allowed them to be committed is carried out on the basis of principles such as legality, transparency, ensuring public participation, justice, respect for the honor and dignity of the person, systematicity, compliance with the presumption of innocence, and the priority of the method of persuasion." ." was marked as

In conclusion, it should be noted that the basic coordination of investigative bodies in the activities of crime prevention ensures the successful prevention of crimes. From the point of view of the activity of the preliminary investigation bodies, it serves as a basis for the development of a new approach and mechanism

in the prevention of crimes, thereby preventing any form of crime. Currently, the crime prevention activities of investigative bodies include the development of a crime prevention mechanism.

The following conclusions were reached on the basis of the important information learned on the activities of the inquiry, investigation, prosecutor's office and judicial bodies to eliminate the causes and conditions that allowed the crime to be committed:

firstly, the new mechanism for determining and eliminating the causes of crime and the conditions that made it possible is based on the requirements of the decision of the Cabinet of Ministers of the Republic of Uzbekistan dated September 10, 2021 No. "Development and implementation of the causes of the committed crimes and the conditions that made it possible for them to be committed on the basis of the system of "Truth and Justice of Fighting Crime";

secondly, to fill in Article 196 of the Criminal Code of the Republic of Uzbekistan ("Failure to take measures to implement the written submissions of the National Guard and internal affairs bodies of the Republic of Uzbekistan in order to eliminate the causes and conditions of the offense"), that is, based on Articles 38 and 344 of the Criminal Code of the Republic of Uzbekistan, "Causes of the offense and not to take measures to fulfill the written submissions of the Enquirer, investigator and prosecutor in order to eliminate the conditions" is proposed to be changed;

thirdly, during the period of investigation of crimes, systematization and improvement of investigative and preventive activities, development of effective directions and mechanisms of cooperation with state and citizen self-government bodies, public associations, and officials in the early prevention of crimes, as well as prevention of crimes in mass media and social networks, in particular, it serves as a basis for the organization of victimological prevention by developing and demonstrating programs about the reasons and conditions that enable the commission of a crime, raising the legal consciousness and culture of citizens, and calling for awareness.

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