



The Peculiarities of Fighting Against Crimes Related to Human Trafficking

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<http://dx.doi.org/10.18415/ijmmu.v10i10.5215>

Abstract

This scientific article provides information about the scientific analyses of the prevention of crimes related to human trafficking and requirements contained in the legislation in this regard, the requirements of the United Nations Organization, and the strengthening of the activities of five representatives organized in the neighborhoods, and the implementation of preventive measures by involving representatives of the general public, officials of the relevant office.

Keywords: *Human Trafficking; Crimes; Requirements; Legislation; United Nations Organization; Five Representatives; Neighborhoods; Preventive Measures; Slavery; Prostitution; Control; Slave Trade; Convention; Transnational Organized Crime; Community Partnership*

Introduction

The measures adopted by the Senate of the Supreme Assembly of the Republic of Uzbekistan to ensure the implementation of the state program for the implementation of the New Uzbekistan development strategy for the period 2022–2026 “In the year of human dignity and active neighborhood” have been determined. Everyone is encouraged to take a step towards the future by the fact that all of the actions in this event are for the sake of human dignity.

In the past in our nation, in all aspects of national life, in the realms of state construction and administration, significant historical contributions have been made. A solid legal basis for our national statehood was established, and the New Constitution of the Republic of Uzbekistan was adopted and safeguarded accordingly.

Article 19 of the newly revised Constitution recognizes and guarantees human rights and freedoms in the Republic of Uzbekistan in accordance with internationally recognized standards of law and this Constitution. Human rights and liberties belong to all individuals from birth.

In the Republic of Uzbekistan, all citizens have equal rights and freedoms before the law, regardless of gender, ethnicity, nationality, language, religion, belief, social origin, or social standing.

The only basis for determining privileges is the law, which must be consistent with the principles of social justice.

In the Republic of Uzbekistan, all citizens have the same rights and liberties, regardless of gender, race, nationality, language, religion, belief, social origin, or social standing. Equal protection under the law is established. Several measures are currently being implemented in our country to prevent and combat human trafficking, which is one of the most pressing issues in our swiftly developing nation.

In particular, local citizens' assemblies, non-governmental non-profit organizations, and international organizations are conducting targeted work in order to combat this evil.

Human trafficking affects virtually every country in the globe. According to UN statistics, therefore, the preponderance of victims of human trafficking are young women, girls, and children.

The Global Program of Action to Combat Human Trafficking was adopted by the UN General Assembly in Resolution 64/293 on July 30, 2010, and all measures were determined in accordance with it. This program of action includes measures to prevent human trafficking-related crime, protect victims, prosecute perpetrators, and strengthen cooperation in all directions.

Currently, many international documents' stipulations have been incorporated into our national legislation, and bilateral treaties and agreements have been signed with foreign nations to combat organized crime, including human trafficking. Our country adopted the "On Combating Human Trafficking" law in 2008 to combat this immorality.

This statute functions as a program to combat crime. But this is not sufficient for us to remain tranquil. Therefore, Uzbekistan is implementing preventative measures to combat human trafficking, particularly its transnational manifestations.

Specifically, on June 2 of this year, expanded scientific conferences were conducted in collaboration with the Higher Education Institute of the Ministry of Internal Affairs and "Istiqbolli avlod", with the participation of the heads of 17 states and agencies, as well as members of the general public. Such occurrences are regularly repeated. While increasing the vigilance of every citizen of the Republic of Uzbekistan, safeguarding the young generation and directing their activity toward education should be one of our top priorities in light of the changing and expanding nature of crime today.

The fight against human trafficking, a severe issue of the 21st century, requires international, regional, multilateral, and bilateral relations. Until now, a number of international recommendatory and mandatory documents of the United Nations have been adopted in order to combat and prevent this form of crime. Within these documents, relevant measures are being implemented on a global scale against this threat.

The policy document currently in effect regarding the suppression of human trafficking and slavery is comprised of several international conventions and protocols. These include the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956), and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), which supplements the Convention on Trafficking in Persons.

Regrettably, notwithstanding the extensive array of initiatives and suitable dissemination of information globally, it remains an undeniable reality that a significant number of individuals fall prey to the phenomenon commonly referred to as "modern slavery" or human trafficking on an annual basis. The victims of this violence encompass individuals from all demographics, including women, the elderly, and young children. The occurrence of violence against these vulnerable groups underscores the necessity for enhanced collaborative efforts in implementing measures to address this issue.

One of the primary catalysts behind the proliferation of this criminal activity is the insufficient dissemination of information pertaining to international employment opportunities. One disheartening observation is that individuals who find themselves in unfamiliar countries and environments often secure employment in physically demanding occupations with minimal remuneration, while women are compelled to undertake menial and degrading tasks. In relation to this matter, frequent convenings and interactive forums are being conducted, wherein individuals from the broader community are actively engaged in dialogue and deliberation.

Nevertheless, it is worth noting that a significant majority, over 80%, of individuals who fall victim to human trafficking are women and children. Annually, a substantial number of women and children, ranging from 600,000 to 800,000, are subjected to the act of being transported to foreign nations and thereafter subjected to the practice of human trafficking for the purpose of sale. The act of trafficking individuals with the intention of exploiting them by means of force, coercion, abduction, fraudulent tactics, abuse of authority, or manipulation, or by compelling another individual through extortion to secure the consent of a person in authority. The aforementioned activities encompass the recruitment, transportation, transfer, utilization of individuals for purposes of prostitution or other types of sexual exploitation, coerced labor or services, slavery or practices akin to slavery, as well as involuntary circumstances or situations pertaining to the extraction of human organs or tissues.

The identification of the three riskiest forms of international organized crime has been accomplished. There are three primary factors that contribute to the prevalence of violence in society.

Firstly, there is the issue of international terrorism, when acts of violence are carried out in the name of religion, often by extreme, fundamentalist, or separatist groups. These acts involve the use of force and are aimed at instilling fear and chaos.

Secondly, there are criminal organizations that are involved in the illicit drug trade or drug trafficking.

Thirdly, there is a noticeable increase in the strength and influence of large-scale criminal groups involved in the illicit activity of human trafficking over the years.

It is evident that transnational crime exhibits a disregard for territorial boundaries, as it encompasses a wide range of criminal activities that pose significant harm to human civilization and have the potential to undermine societal and state progress.

The primary factor contributing to these criminal acts is the prevailing legal culture, along with spiritual impoverishment, insatiable materialistic desires, an excessive attachment to worldly possessions, a self-centered mindset, a disregard for the consequences in the afterlife, and a tendency to place unwarranted faith in others. Individuals who engage in the sale of human beings as slaves bear criminal liability. However, it is important to note that such actions infringe upon the inherent divine nature of humanity, as bestowed by a higher power. The teachings of the Islamic faith place significant emphasis on the inherent dignity and honor of individuals, asserting that human beings are the most esteemed beings in existence. Furthermore, Islamic doctrine outlines stringent methods aimed at addressing and mitigating the institution of slavery.

According to Takhir Malik's Book of Human Property, the act of causing injury to both humans and animals is seen as a grave offense and a moral transgression.

The institution of slavery was a preexisting social construct at the time of the emergence of Islam as a religious faith. Islam places a strong emphasis on the concept that humanity was born with inherent freedom, and it has taken many efforts to ensure the preservation and promotion of this freedom. The individual in question elevated the act of emancipating a slave to a position of commendation, and

proceeded to issue orders for the emancipation of a slave as a means of expiating several instances of transgressions and transgressions that were regularly reiterated. An instance that can be considered is the act of violating a solemn pledge or deliberately disregarding the observance of a mandatory period of fasting. According to the teachings of our Prophet (peace be upon him), it is stated that the act of liberating a slave who believes in the faith will result in Allah liberating the person's body parts from the torment of Hell, with each body part being freed for each slave liberated. In this particular hadith, the Prophet Muhammad (peace be upon him) elucidates the merit of emancipating a slave, as it serves as a means to absolve oneself from the torments of hellfire and gain entry into paradise.

In a separate hadith, is stated:

On the Day of Resurrection, Allah will not bestow His gaze upon three individuals:

- A person who sold the hur (free person);
- A person who engages in the act of self-selling;
- A person who cancels the rights of a worker after his skin has hardened.

This highlights the imperative to enhance the safeguards pertaining to individual autonomy, life, well-being, and personal liberties, with the aim of bolstering the efficacy of legal safeguards for citizens, while upholding the idea of prioritizing individual interests in the context of the relationship between individuals and the state.

According to Article 13 of the Constitution of Uzbekistan, democracy in the Republic of Uzbekistan is based on universal principles, according to which a person, his life, freedom, honor, dignity and other inalienable rights are the highest value, and democratic rights and freedoms are protected by the Constitution and laws.

Hence, the phenomenon of population migration, encompassing the act of individuals relocating to work abroad, is a pervasive global occurrence that entails both advantageous implications and adverse repercussions.

The impact of global processes extends to our country as well, so making it an integral part of this phenomenon. Regrettably, the populace within our jurisdiction is increasingly falling prey to the abhorrent crime of human trafficking. The aforementioned circumstances necessitate an immediate imperative for our state and society to implement stringent measures in order to combat this malevolent phenomenon and safeguard our fellow citizens who are both directly involved in and impacted by the issue of human trafficking.

Legal provisions have been established in our nation to facilitate the departure of our individuals who desire to go internationally. In adherence to the legal framework of the Republic of Uzbekistan, individuals are permitted to engage in work activities abroad solely through the assistance of the Agency for Foreign Labor Migration and Regional Bureaus for Employment of Citizens Abroad, as stipulated by inter-governmental and inter-departmental contracts and agreements. The procedures and prerequisites for such endeavors are established by the Ministry of Poverty Reduction and Employment of the Republic of Uzbekistan.

In summary, the efficacy of combating transnational organized crime and various manifestations of human trafficking hinges upon the adoption of a rigorous methodology and the fostering international and regional collaboration.

Furthermore, it would be advantageous if this activity were incorporated into the everyday routine of the local communities, with each neighborhood forming groups of five individuals, in order to enhance the collective effort in combating this malevolent force and reinforcing the call for action.

References

1. Гребёнкин Ф.Б. Уголовно–правовое значение психологического насилия в преступлениях против собственности: автореф. дис. кан. юрид. наук. М.: 2004. –стр. 6.
2. Костюк М. Насилие в местах лишения свободы (социально–правовой аспект) // Законность. № 2., 1998. – стр. 43.
3. Уголовное право, общая часть, особенная часть. Учебник // Под. общ. ред. проф. Л.Д. Гаухмана. проф. Л.М. Колодина и проф. С.В. Максимова. М.: Юриспруденция, 1999. – стр. 352.
4. Рустамбаев М.Х. Жиноят ҳуқуқи: Махсус қисм. Т.: 2006. – б. 42.
5. Ўзбекистон Республикаси ИИВ ХПБ дан 2021–йил май ойида олинган маълумот.
6. U. Tadjikhanov. Legal encyclopedia. In the general edition of the doctor of legal sciences, Tashkent: “Sharq”, 2001. – p. 652.
7. Kvashis V.E. Fundamentals of Victimology. Moscow, 1999. – p. 58.
8. Bumajenko N.I. Victimology. Educational–methodical manual. Moscow, 2010. – p. 102.
9. Ismailov I. Saitkulov K.A. Measures of victimological prevention of offenses: proceedings of the republican scientific–practical conference. Tashkent, 2015. – p. 54–66.
10. Тохир маликни Одамийлик мулк китоби 2020 йил тўплами.

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