

Legal Basis for Fighting Against Extremism and Terrorism in Uzbekistan

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Abstract: The threat of extremism and terrorism is the most urgent problem of regional and international security. In Uzbekistan, there is a constant and continuous struggle in this direction, the legal foundations of which are discussed in this article. The authors also emphasize the need to strengthen spiritual and educational mechanisms, strengthen the culture of tolerance and vigilance of civil society in solving this global problem.

Keywords: extremism, terrorism, fights against terrorism, legal framework, security threats, legislation, prevention of terrorism, financing of terrorism, culture of tolerance.

In the modern world, extremism and terrorism is not only a serious threat to the stability of states, but also a cruel crime against humanity. Moreover, the transformation of international terrorism into a complex socio-political phenomenon requires a constant search for ways to develop effective response measures. Terrorism is one of the main threats to peace and international security.

Countering these challenges in Uzbekistan is continuous and permanent, combining measures to eliminate the conditions conducive to its spread, as well as fighting in close cooperation with the international community. As the President of Uzbekistan Shavkat Mirziyoyev notes, "... most of the crimes related to extremist activities and violence are committed by people under 30 years old. ...Our key task is to provide conditions for the self-realization of young people, to create a barrier to the spread of "virus" of violence ideology. [1]

Uzbekistan, having repeatedly encountered manifestations of extremism and terrorism, has developed significant experience in fighting with these threats. Its legal basis is the Constitution of the Republic of Uzbekistan, the Laws of the Republic of Uzbekistan "On combating terrorism", "On countering extremism", "On countering the legalization of proceeds from crime, financing terrorism and financing the proliferation of weapons of mass destruction", the relevant articles of the Criminal Code of the Republic of Uzbekistan and other regulatory legal acts. The legislation of the Republic of Uzbekistan, as well as international legislation, is focused primarily on the protection of human rights, ensuring the stability of the state.

The conceptual justification for Uzbekistan's approaches to the implementation of measures to fighting against extremism was the adoption in July 2018 of the Law of the Republic of Uzbekistan "On countering extremism". It consists of five chapters and 24 articles, which clearly define the concepts of "extremism", formulate the main directions and principles of state policy in the field of countering extremism, measures to prevent extremism, the subjects of countering extremism and international cooperation in this area.

The law provides the following definitions:

Extremist - a person participating in the implementation of extremist activities, as well as traveling abroad or moving through the territory of the Republic of Uzbekistan to participate in extremist activities;

Extremist group - two or more persons carrying out extremist activity or an attempt to carry it out by prior conspiracy;

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Extremist material - a document or other information intended for distribution on any medium, publicly calling for the implementation of extremist activities or substantiating or publicly justifying the need to carry out such activities.[2]

Regarding legal, educational and spiritual tools, we can note Article 8 of this law, which states that raising the legal awareness and legal culture of the population, the formation of an intolerant attitude towards extremism in society is carried out by:

- carrying out explanatory work;
- organizations of legal upbringing and education;
- development of educational, methodological and scientific literature on countering extremism;
- strengthening cultural traditions, spiritual, moral and patriotic education;
- organization and holding of scientific and practical events;
- Improvement of educational programs, taking into account the main directions of state policy in the field of countering extremism.

According to data cited by one of the authoritative experts, today there are about 300,000 representatives of young generation under the age of 18 in the ranks of religious extremist organizations in the world. Over the past ten years, terrorism has caused damage to the world economy for 583 trillion US dollars, as a result of terrorist attacks, 91,000 innocent people have died.

Taking into account the rapid growth of computer and Internet technologies, the World Wide Web most often becomes an effective mean of mass information impact of terrorists on young people. According to research by the Brookings Institution (USA), there can be up to 90 thousand accounts on Twitter that are somehow connected with the international terrorist organization Islamic State. Each of them has thousands of readers, a significant part of which is boys and girls. In Uzbekistan, because of work in the field of information security in recent years, access to more than 100 thousand Internet resources containing more than 4 million information materials of a terroristic and extremist nature has been removed or restricted. [3]

Extremism is closely intertwined with terrorism, the problems of which have remained relevant for several decades. Unfortunately, our country has not escaped the clash with terrorism. In February 1999, for the first time in Tashkent, near the administrative building of the Cabinet of Ministers of the Republic of Uzbekistan, to which the cortege of the First President I.A. Karimov was expected to arrive, there was an explosion of a detonated bomb planted in a car parked near the government building. With an interval of several minutes, terrorist attacks took place in other parts of the city. After the tragic events of 1999 in Uzbekistan, terrorism was identified as the main threat and put as a key issue on the agenda of ensuring the country's security.

In March-April 2004, terrorist acts carried out in Tashkent, Bukhara and Tashkent regions. On July 30, 2004, a series of terrorist attacks took place in Tashkent near the US and Israeli embassies, as well as near the building of the General Prosecutor's Office of the Republic of Uzbekistan.

On May 12-13, 2005, in the city of Andijan, in order to overthrow the existing constitutional order, terrorist acts were committed by the extremist movement "Akramiya", which led to numerous casualties, significant damage to civilian and state property. According to estimates, as a result of riots organized by a criminal group with the assistance of external forces, 187 people died. Of these, 60 are representatives of the civilian population (among them two teenagers). The terrorists killed 31 law enforcement officers. 287 people (91 civilians, 49 law enforcement officers, 59 military personnel) were injured to varying degrees. In the course of anti-terrorist measures, 94 terrorists were eliminated, 76 of them were wounded. [4]

In the context of the global terrorist threat, Uzbekistan has formed its own strategy of struggling, the legal basis of which became the Law of the Republic of Uzbekistan "On Combating Terrorism" adopted on December 15, 2000. It consists of 6 chapters and 31 articles. The main objectives of this



law are to ensure the security of the individual, society and the state from terrorism, the protection of the sovereignty and territorial integrity of the state, the preservation of civil peace and national harmony.

The Law of the Republic of Uzbekistan “On Combating Terrorism” defines general conditions with the basic principles of fighting against terrorism; the powers of state bodies in the field of terrorism, the procedure for conducting an anti-terrorist operation; compensation for harm and social rehabilitation of people affected by a terrorist campaign; legal and social Protection of people involved in the fight against terrorism, responsibility for participating in terrorist activities and violation of legislation on the fight against terrorism.

The law gives the most complete definition of terrorism and other concepts related to it. Let us dwell on some of them, most often used in research and the media:

A terrorist - a person participating in the implementation of terrorist activities, as well as goes abroad or moves through the territory of the Republic of Uzbekistan to participate in terrorist activities;

A terrorist group - a group of people, who, by prior conspiracy, committed terrorist action, prepared for a terrorist action, or had attempt to commit it;

A stable association of two or more people or terrorist groups for carrying out terrorist activities;

Financing the terrorism - activity aimed at ensuring the existence, functioning, financing of a terrorist organization, going abroad or moving through the territory of the Republic of Uzbekistan to participate in terrorist activities, the preparation and commission of a terrorist action, direct or indirect provision or collecting any means, resources, and other services for terrorist organizations or peoples assisting or participating in terrorist activities;

Anti-terrorist operation - a set of coordinated and interconnected special measures aimed at suppressing a terrorist action and minimizing its consequences, as well as ensuring the safety of individuals and neutralizing terrorists;

Terrorist activity - activity that includes the organization, planning, preparation and implementation of a terrorist action, incitement to a terrorist action, the creation of a terrorist organization, recruitment, preparation and weapons of terrorists, their financing, material and technical support. [5]

A description of the manifestations of terrorism is also contained in legal interpretation of the terrorist action concept, which considers a commission of a terrorist crime in the form of capture or hold of hostages, an encroachment on the life of a state or public figure, representatives of national, ethnic, religious, other groups of the population, foreign states and international organizations, capture, damage, destruction of objects of state or public significance, including stationary platforms located on the continental shelf, explosion, arson, application or threats to the use of explosive devices, radioactive, biological, explosives, chemical, other poisonous substances, capture, hijacking, theft, damage, destruction of ground, water and air vehicles, creating panic and provoking riots in places of accumulation of the population. Furthermore, during mass events, causing harm or creating a threat to life and health of people, property of individuals or legal entities by committing accidents, disasters of a techno genic nature, the spread of threats by any means and methods, other terrorist actions established by the legislation of the Republic of Uzbekistan and universally recognized norms of international law.

An effective measure in fighting against terrorism was the formation of national system of countering money laundering and the financing the terrorism (for/FT), which started with the adoption of the Law of the Republic of Uzbekistan “On the opposition of the legalization of income received from criminal activity and financing the terrorism” in 2004, which come into force on January 1, 2006. In 2019, the Law of the Republic of Uzbekistan “On Combating the legalization of income received from criminal activity, financing the terrorism and spread of weapons of mass destruction” was adopted in the subsequent editorial office.



According to this Law, financing terrorism is understood as criminally punished socially dangerous act aimed at ensuring existence, functioning, financing of terrorist organization; going abroad or moving through the territory of the Republic of Uzbekistan to participate in terrorist activities; the preparation and commission of a terrorist action, direct or indirect provision. Collection of any means, resources, other services to terrorist organizations or people assisting or participating in terrorist activities are also included. [6]

In the Criminal Code of the Republic of Uzbekistan, Article 155-Prime 3 for various types of participation or assistance in financing terrorism establishes punishment by deprivation of freedom from eight to ten years. A person who participated in financing the terrorism is exempted from criminal liability if it has been actively helping to prevent the occurrence of grave consequences and implement the goals of terrorists by a timely prevention of authorities or in another way.

In accordance with the norms of the law, the law enforcement agencies of the Republic carry out serious work on the suppression of financing the terrorism. In particular, from 2016 to 2020 and in the first half of 2021, 60 men and 2 women were convicted for financing terrorism in Uzbekistan. Most of them committed criminal acts, being abroad for work. For participation in extremist organizations for the same period, 9 people were convicted. Among the convicts 18 people aged 18-30 (29%), 43 people aged 31-60 (69.4%), one person - over 60 years old (1.6%). Of the total number of convicts, 41 citizens (66.1%) committed a crime by providing or transferring funds to accounts of terrorist organizations, their representatives or related people. The remaining convicts (33.9%) covered their financial expenses. [7]

As experience shows, increasing facts of impact of extremist ideas mainly on young people, leads the state to the need to take alternative countermeasures related not only to activities of specially separated anti-terrorist centers, law enforcement agencies and special services, but also to strengthen political and ideological tools.

Moreover, civil society itself should be directly involved in the fight against terrorism, only then it will be possible to talk about conducting nationwide counter-terrorism work. For accomplishing this task, it is necessary to have same comprehension of the essence of international terrorism, the scale of the threat and the nature of measures taken by the state to combat this crime in society. [8]

Members of various religious extremist movements and terrorist organizations threaten the peaceful life of society, bringing confusion, fear and distrust of the state, exerting psychological pressure and spreading extremely aggressive ideas of violence among civilians and especially among young people. The zones of terrorist activity of armed militants that exist today in various regions, mainly in the Middle East, among which there are many people from Central Asian countries, cause us particular concern and the need to take more effective preventive measures. Although all the activities of law enforcement agencies are aimed at ensuring security, in many respects the peace of society depends on civil vigilance, attention and foresight. Moreover, extremists, acting underground, want to be unnoticed by law enforcement agencies, often hide among ordinary people.

Under these conditions, propaganda and explanatory work is of great importance, aimed at exposing and explaining the true goals of extremists and their false arguments, which are fundamentally contrary to the canons of religion and the interests of society. Therefore, no one should remain aloof from this problem. Only caution and civil responsibility are the main formulas for successfully countering the threat of terrorism, which can save citizens and the state from the tragic consequences of terrorist crimes.

Extremism, expressed in the activities of radical groups using religious interpretation of their political goals, in addition to material destruction, sows mistrust, fear and intolerance towards other religions and beliefs in society. In this context, one of the key factors in ensuring peace and tranquility lies in the firm establishment of a culture of religious tolerance in the way of life of society.

From this point of view, the adoption of a special resolution "Enlightenment and Religious Tolerance" on December 12, 2018 by the UN General Assembly was a convincing victory for Uzbek diplomacy.



This document, signed by the majority of UN member states, has become a practical recognition and implementation of the initiative of President Shavkat Mirziyoyev, put forward at the 72nd session of the UN General Assembly in September 2017. Particular emphasis is placed on the development of enlightenment, the creation of all conditions for the fight against illiteracy and provision of broad access to education, the promotion of tolerance for the diversity of religions and beliefs, historical customs, traditions, languages and cultures.

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