

## ISSUES OF RESPONSIBILITY FOR THE ILLEGAL CIRCULATION OF STRONG INFLUENCER OR TOXIC SUBSTANCES IN THE TERRITORY OF UZBEKISTAN (ACCORDING TO THE CRIMINAL CODES OF THE UZBEKISTAN SSR OF 1926 AND 1959)

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**Abstract.** The article analyzes the issues of responsibility provided for in the criminal law of the Uzbekistan SSR of 1926 and 1959 for the illegal introduction of strong influencer or toxic substances into circulation.

**Keywords:** Uzbekistan SSR, public health, strong influencer substance , toxic substance, illegal preparation, aggravating crime, criminal liability.

The level of health of the population is an important indicator of the state of development of the country and is one of the main factors of the development of the society. The health of the people and the stability of the nation's gene pool are the great wealth of this country [1]. In turn, protection of human health is a strategic task in the consistent development of the country.

For this reason, every country considers health protection of its population as a priority, and determines responsibility for any act that harms a person's life and health.

It is known from history that as a result of the national-territorial demarcation of the Union of Soviet Socialist Republics, the Soviet Socialist Republic of Uzbekistan was established on October 27, 1924, and in 1926 On June 16, the first Criminal Code of the republic was adopted, in which a separate chapter was provided for actions that harm social relations that ensure the health of the population.

In particular, in Article 250 of the eighth chapter of this criminal law, entitled "Violation of the rules of public health, public safety and public order", preparation, storage, purchase and sale of poisonous substances with a strong effect without a special permit, as well as a strong effect for committing Liability is determined for violating the rules of processing, storage, distribution, accounting and transportation of toxic substances [2].

The difference between this norm and Article 215 of the Criminal Code of the Russian Soviet Federative Socialist Republic adopted on June 1, 1922 (preparation of strong and poisonous substances by unauthorized persons) is that strong poisonous substances are included as actions of the objective side of the crime. preparation by a person who does not have the right to do so, as well

as violation of the rules of its storage, purchase and sale, as well as processing, storage, distribution, accounting and transportation.

In addition, if the sanction of Article 215 of the Criminal Law of 1922 provides for a fine of up to 300 rubles or compulsory works, then the first Criminal Code of the Uzbek SSR provides for more severe, i.e., confiscation of poisonous substances with a strong effect for such persons. , was sentenced to imprisonment for up to five years.

Later, on May 21, 1959, the second Criminal Code of the Uzbek SSR was adopted, and in Article 216 of the Criminal Code of 1926, a socially dangerous act, that is, the illegal preparation, purchase, for the purpose of selling strong and poisonous substances assumed liability for receipt, storage, transportation or shipment or sale [3].

This norm included two independent crimes and consisted of two parts. In particular, in the first part of the norm, the illegal preparation, purchase, storage, transportation or sending of powerful or poisonous substances that are not considered narcotic substances, as well as for the illegal sale of such substances, and the production of such substances in the second part , was further improved upon the Criminal Code of 1926, providing for liability for contravention of the provisions relating to purchase, keeping, accounting, giving, conveyance or dispatch. For example, it was determined that strong influencer or toxic substances, which are intended as the subject of a crime, should not be considered narcotics.

Also, the condition that the actions provided for in part 1 of the norm were committed for the purpose of sale was provided as a qualifying sign of the act. In part 2 of the norm, the actions of the objective side of the crime have been expanded, and responsibility has been established for the violation of the rules of illegal transportation or shipment of such substances, as well as sale, purchase or shipment.

At the same time, Article 216<sup>1</sup> of this Code stipulates responsibility for robbery of powerful or poisonous substances that are not considered narcotics, and includes the aggravating elements of the crime and the necessary quantitative indicators of the subject of the crime. The Criminal Code of 1926 did not establish liability for such acts.

In addition, Article 216 of the Criminal Code of 1959 had a number of differences from the current Article 251<sup>1</sup> of the Criminal Code. In particular, the current Criminal Code Article 251<sup>1</sup>:

— if the purpose of transferring strong influencer or toxic substances is determined, the Criminal Code of 1959 provided only the existence of an intention to sell as a qualifying feature;

— the criminal code of 1959 did not establish responsibility for the actions of preparing, receiving, storing, transporting, sending or transferring equipment for processing, preparation for the purpose of transfer or processing, which is considered as an objective aspect of the crime;

— if the aggravating elements of the crime were defined, it was not provided for in the Criminal Code of 1959;

— as the main condition for the occurrence of liability for violation of the rules for the production, acquisition, storage, accounting, giving, transportation or shipment of strong influencer or toxic substances, the existence of a consequence, that is, the violation of the established rules leads to the theft of substances behind carelessness, or serious the 1959 Crimes Act does not require consequences if it is intended to cause harm, but it has been found that a violation of the rules for the manufacture, purchase, storage, accounting, transportation or dispatch of such substances is sufficient.

In conclusion, it should be noted that strong or toxic substances have been in the center of constant control as they pose a serious threat to public health. For this reason, specific criminal charges have been established for illegal handling of these types of substances in different periods, and as a result of changes in time and situation, new methods of committing crimes and the emergence of new types of substances, issues of criminal responsibility have been improved.

#### **Foydalanilgan adabiyotlar:**

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