

**ANALYSIS OF SCIENTIFIC VIEWS ON THE OBJECT OF THE CRIME
OF VIOLATING THE NORMS AND REQUIREMENTS OF ECOLOGICAL
SAFETY ACCORDING TO THE CRIMINAL LEGISLATION OF UZBEKISTAN**

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Abstract: *Prevention of global environmental problems, maintenance of balance between nature and man are becoming important nowadays. In this regard, the thesis focused on the issue of the object of the crime of violating the norms and requirements of Uzbekistan regarding ecological safety.*

Keywords: *environmental safety, natural resources, criminal liability, environment, nature.*

These are social relations that arise in order to ensure environmental safety in the economic sphere and other activities through the rational use of nature and environmental protection. Negative changes in the environment, violations of environmental safety standards and regulations can harm human health and life.

There are also different opinions among researchers regarding the object of the crime of ensuring environmental safety in the sphere of economics and other activities through rational use of natural resources and environmental protection. You can also come across opinions that the object of a crime can be natural, material resources, that is, natural objects and natural complexes protected by criminal law, the environment itself [1].

In our opinion, these opinions are outdated and violation of the norms and requirements of ecological safety provided for by the current criminal law cannot reveal the content of the object of the crime.

According to O. L. Dubovik, the object of environmental crimes is a complex complex of factual social relations, their legal form and material structure. Implementation of these relations rationally and in accordance with the norms of environmental legislation ensures that a person lives, uses the environment directly as a basis for livelihood, meets his social needs rationally and ensures his safety [2].

It seems that environmental relations are very complex, and therefore, identifying the object of crimes in this area creates certain difficulties. However, the object of the crime must be correctly identified in each crime. An incorrectly defined object can cause incorrect qualification.

Therefore, the object of crimes in the field of environmental protection is a set of social relations protected by the criminal law aimed at ensuring environmental safety, rational use of natural resources, and a comfortable environment for the life of humans and all animals living in the natural environment.

Environmental crimes are divided into two groups by the legislator: crimes in the field of environmental protection and nature use (Chapter XIV of the Criminal Code).

Social relations aimed at protecting the environment are a kind of object of these crimes.

There is no single opinion in the literature about the similar object of the crime [5]. In some studies, opinions are expressed that the related object is a type of special object and it is not appropriate to divide it into a separate type [4].

But we cannot agree with such an opinion. Because the classification of objects into three types (general, special, direct) was consistent with the structure of the Criminal Code of the UzSSR (1959). The structure of the special part of the current Criminal Code (1994) is divided into parts containing chapters. Therefore, in our opinion, it is correct to consider the section of the Criminal Code consisting of chapters as a special object of the crime, and the chapters within this section as a similar object. From this point of view, we fully agree with the opinion of the scientists who studied the related species of the object separately. It is not enough to state that the related object of crimes is social relations in the field of environmental protection. These social relations consist of several complex relations that can be distinguished separately. These can lead to violation of relations of environmental security, protection of natural objects - land, water, atmosphere, flora and fauna, violation of land protection.

In our opinion, it is wrong that some researchers believe that the object of crime is the natural resources themselves - land, water, atmosphere and animal world. In this regard, E. N. Jevlakov also states that "when we consider that the object of environmental crimes can be natural resources, there is no difference between the object and the subject of the crime." [5].

In fact, the object of crime is directed against the social relations arising from the protection of natural resources, and natural resources themselves can be the subject (item) of crime.

When the direct object of crimes is said, it is understood the social relationship to which the socially dangerous aggression is directly aimed. It is the correct identification of the direct object of the crime that is of great importance in the qualification of the crime and plays an important role in assigning a punishment appropriate to the crime [6].

The direct objects of crimes in the field of environmental protection are indicated in the provisions of the article itself. For example, in the crime of violation of norms and requirements related to environmental safety (Article 193 of the Criminal Code), the direct object is social relations arising from the provision of environmental safety. That is, in the legislative disposition, it is indicated that the norms and regulations that provide for the preservation of environmental safety in the design, placement, construction and operation of industry, energy, transport, communal services, agro-industry, science or other objects are protected by law. So, the social relations resulting from the application of these norms and rules can be the direct object of the crime.

Objectively, crimes in the field of environmental protection differ from crimes in other fields in that as a result of the crimes, damage is caused directly to the object and to other objects protected by the Criminal Code. Such a situation A.V. In Naumov's textbook, they are referred to as crimes with two objects. It divides the direct object of two-object

crimes into primary and secondary. The additional object itself is divided into necessary and optional types [7].

In our opinion, such a classification of the object of crime is theoretically acceptable and practical. Therefore, when determining the types of objects of crimes in the field of environmental protection, A.V. We follow Naumov's classification.

The direct object of all crimes (Articles 193-196 of the Criminal Code) in our object of study consists of the main object and additional necessary objects.

Thus, an additional necessary object of crimes in the field of environmental protection are relationships that ensure the vital activity of life and health of humans, animals, birds and fish. This item is a necessary sign of a crime. The object of a crime exists only when these objects are proven.

If we analyze the experience of foreign countries in this regard, in some countries environmental crimes are included in the category of crimes against public safety. In particular, from the name of these sections, we can witness that liability for actions that harm not ecology and nature, but directly to society and society members is defined.

From the content of the criminal laws of these countries, it is concluded that environmental crimes should be prosecuted because they attack the health of the population and not nature.

If we analyze the issues of criminal liability for violation of norms and requirements related to ecological safety on the basis of the legislation of foreign countries, in this regard, in foreign countries, including Article 1542 of the Criminal Code of the Republic of Estonia, criminal liability for violation of land and soil protection requirements is established, that is, both of the natural environment element is also protected [8].

Chinese criminal law (Article 342 of the Criminal Code of the People's Republic of China) pays special attention to the protection of irrigated lands, that is, ultimately the soil [9].

We can observe two trends regarding the criminalization of environmental offenses in the criminal law of foreign countries:

- 1) pollution that endangers (causes) human life and health is recognized as a criminal offense (formal structures - US, Sweden, Netherlands, Azerbaijan Criminal Codes);
- 2) not any pollution, but pollution that causes damage to human life and health is recognized as a criminal offense (material content - PRC, Lithuania, RF, including Uzbekistan)

In addition, provisions related to the occurrence of human death as a result of violations of environmental safety norms and requirements are provided for in Article 281 of the Civil Code of Armenia, Article 265 of the Civil Code of Belarus, Article 220 of the Civil Code of Tajikistan, Article 324 of the Civil Code of Kazakhstan, and Article 236 of the Civil Code of Ukraine.

Based on the above analysis, it is proposed to add Article 193 of the Criminal Code with the aggravating circumstance that "violation of environmental safety norms and requirements causes death of people."

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