



## Criminalistic Characteristics Of Crimes Related To Human Trafficking

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### ABSTRACT

The article examines the criminalistic characteristics of human trafficking and what features of this crime should be taken into account when drawing up specific forensic techniques.

### KEYWORDS

Methods of human trafficking, forensic characteristics, involvement (recruitment) exploitation.

### INTRODUCTION

In the modern world, human trafficking is characterized as a widespread, highly dangerous, transnational and cross-border crime that encroaches on personal privacy, human freedom and personality, the spiritual and moral foundations of society and the security of humanity.

At the same time, despite the fact that the international community applies complex measures, the number of this type of crimes committed by organizational groups is growing, as well as the level of their latency is constantly increasing. Due to the insufficient development of mechanisms for the protection of victims of trafficking, the fight

against trafficking in persons is becoming an international problem. In particular, according to statistics, in recent years, 64% of victims of human trafficking have been subjected to labor exploitation, 9% to sexual exploitation and other forms of slavery, 71% of victims are women, and 29% are men [1].

Large-scale reforms are being carried out in the republic aimed at guaranteeing the rights and freedoms of victims of human trafficking and improving the investigation of criminal cases against them.

The Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021 specifically emphasizes the task of " ... strengthening organizational and practical measures to combat other forms of crime [2].

Thus there is a need to study human trafficking as a socially dangerous act committed in several stages, widespread, increasingly acquiring transnational and transboundary in nature, as well as an in-depth study of the specifics of investigation of trafficking, analysis of legislation, systematization of cooperation in this direction, conduct comprehensive research aimed at further improving the mechanisms of ensuring inevitability of responsibility for such crimes.

Methods of investigation of certain types of crimes with their recommendations should help investigators in the effective implementation of the prevention, disclosure and investigation of relevant criminal acts.

The Criminal Procedure Law establishes a general procedure for conducting investigative actions, which is mandatory for all participants in the criminal process and the bodies carrying out it.

Forensic science, based on the provisions of this law, develops tactical techniques for their most effective implementation, as well as taking into account the specifics of the investigation of certain types of crimes, forms a structural set of private forensic techniques that embody the latest achievements of forensic science and law enforcement practice.

Today, all over the world, special attention is paid to conducting scientific research to improve the production of investigations of human trafficking, in particular, to further improve the production of pre-investigation checks, to increase the effectiveness of the use of modern technologies in the search and collection of evidence, new tactical methods and evidentiary capabilities, as well as to further develop the methodology for investigating human trafficking.

This importance has a resolution of theoretical and practical problems of national legislation and law enforcement practice related to the formation and improvement of the forensic characteristics of human trafficking, empower and methods of proving the guilt of the perpetrators of the crime, ensuring the rights and freedoms of the victims. In this regard, the set of private methods forms a forensic methodology as a branch of the science of criminology, which in addition to them includes a certain system of scientific provisions as the basis for their construction and adaptation. In its "materialized" expression, this result appears in the methodology in the form of systems of forensic recommendations of various degrees of generality related to the organization and conduct of investigations, the optimal use of tools and techniques of forensic techniques and tactics, management and scientific organization of labor, and data from

other fields of knowledge. The idea of the structure and content of private forensic techniques depends, of course, on the general idea of forensic techniques as a branch of forensic science. In order to find the optimal solution to the question of the structure of the complexes of forensic recommendations, forming a private forensic techniques, you must first assess the validity of those provisions based on which subsystems of these systems, which requires consideration of issues such as crime characteristics and crime classification of crimes, the determination of the direction and subject and periodization of the process of the investigation.

After an in-depth study of this issue, R. S. Belkin proposed to consider the main structural elements of the methods of crime investigation:

- Forensic characterization of crimes;
- Determining the direction and features of investigation planning;
- Description of the initial investigative actions and operational search measures;
- Description of the typical scope and features of subsequent investigative actions [3, p. 212].

Under the criminalistic characteristics of crimes is understood as the totality of the most characteristic, forensically significant and interrelated information about the characteristics and properties of the crimes of individual species or groups obtained as a result of analysis and generalization of judicial and investigation practice that can serve as the basis for the nomination of versions of the crime and the offender which are relevant for the correct assessment of situations arising in the process of disclosure and investigation of crimes.

The forensic characteristic, being an information model of a typical crime of a certain type or kind, plays the role of a kind of matrix: it is "superimposed" on a specific case and allows you to build its probabilistic model, and this is its practical significance.

The list of elements of criminalistic characteristics can not be rigid, strictly defined, but at the same time should reflect the specific features and properties of a particular type (group) of crimes. For crimes in the sphere of trafficking these basic elements are information on the mechanism of the crime, trace information of the individual offender and the identity of the victims (victims of trafficking) and other forensically important data. The mechanism of crime as a criminalistic category is a dynamic system that includes the subject of the crime, its attitude to its actions, their consequences and accomplices; the object of the attack; the method of committing and concealing the crime; the criminal result; the situation of the crime, etc.

The mechanism of the crime characterizes the sequential, technological side of the criminal act, describes mainly the time, dynamic order of connection of individual stages, circumstances and factors of the crime. The mechanism of crimes in the field of human trafficking is characterized by its complexity, which is largely due to the transnational nature of criminal acts of this category and the predominance of criminal groups, mainly of an organized nature, in this area of criminal business. An analysis of the literature, investigative and judicial practice shows that the mechanism of human trafficking is based on three main components (stages):

- Engagement (recruitment);
- Moving

- Operation;

It is important to note that the first two stages are subordinated to the final goal of the third, last stage. At the same time, this structure of the process of trafficking in persons should be considered in inseparable connection with the scheme of geographical content, reflecting the transnational nature of the type of crime under consideration: country of origin (supplier country, exporting country); country of transit; country of destination (recipient country, importing country). Combining these structural schemes, it is possible to get a general essential idea of the mechanism of human trafficking in relation to the territorial framework of its distribution. Let's consider each of the above steps.

Involvement (recruitment). The first link in the chain of the mechanism of human trafficking is involvement (recruitment). This process structurally consists of two stages: initial and subsequent. The initial (preparatory) stage is the search for potential victims of human trafficking. The subsequent (main) stage begins with the criminal entering into direct communication contact with the applicant (applicant) and consists in purposeful psychological or physical influence on him (her) in order to ensure readiness to travel abroad, i.e. in direct involvement.

Search results. Methods of searching for potential victims can be divided into two main groups: - methods of direct individual search; methods of searching with the use of mass media. The methods of the first group are to search for potential victims directly by the recruiter. Such search may be: - related to the criminal's personal contacts; - not related to the criminal's personal contacts.

Often, criminals are familiar with their future victims: neighbors, fellow villagers, former students of the same school, pupils of the same orphanage, former roommates or even relatives. In this case, the recruiter already knows in advance at least a minimum list of information that characterizes the personality of the candidate (candidate), including about the financial situation, the composition and relations in the family, the level of moral values. Such information initially determines the feasibility and possibility of involving a particular candidate (candidate), and also orients the criminal in choosing a tactical line of behavior. The search for potential victims is also carried out through mutual friends who can recommend possible applicants to the recruiter (who, according to their information, either themselves expressed a desire to go abroad, or may agree to such an offer) or, having shown great activity, independently contribute to the criminal in expanding the circle of recruits. So, in case of successful recruitment by the criminal of a particular person, he can offer to go abroad "for the company" and to his friends. Most often, criminals come into contact with the future victim through mutual friends. Despite the difference in the approaches of researchers to the definition of the concept, structure and content of forensic characteristics in the methodology of investigations of certain types of crimes, most forensic scientists, however, quite rightly consider forensic characteristics as one of the constitutive elements of the structure of a particular methodology [4, p. 596].

The ambiguous approach to the definition of the content and meaning of the criminalistic characteristics of a crime indicates the complexity of this concept and the

insufficiency of its theoretical development. Therefore, the concept of criminalistic characteristics of crimes is actively being studied at the present time.

Summarizing the concept, we believe it reasonable to agree with the opinion of I. A. Vozgrin, who claims that criminalistic characteristics of crimes is a system of generalized evidence-based scientific conclusions and recommendations on the most common forensically significant evidence of criminal acts, which are necessary for the organization and implementation of their comprehensive, complete, objective, and quick investigation and solution [5, p. 22].

We share the point of view of scientists who argue that the criminalistic characteristics of each crime should be based on the criminal-legal concepts of the corresponding illegal criminal acts, the general conditions for their investigation and the socio-political significance of the fight against them. However, this information, not being part of the forensic characteristics of crimes, serves only as a starting information base for determining the subject of the study. Trafficking in human beings is a fairly complex legal component of the crime of criminal acts committed in the field of crimes against the freedom of the individual, which often leads to errors in investigative and judicial activities.

Therefore, before proceeding to the investigation of cases of human trafficking, the investigator needs to get acquainted in detail with the criminal legal characteristics of this crime. With this in mind, we believe that the main elements of forensic characteristics of human trafficking should include only the most persistent, recurring components, which in our opinion are: feature source information;

characteristic of the situation of the crime; and information about methods of committing and concealment of a crime; data on the mechanism of committing human trafficking; information about the typical personal characteristics of victims; information about the typical personal characteristics of criminals; generalized data on the most common motives for the crime; the range of main circumstances to be established.

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