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Qualification Problems Of Premeditated Murder, Conjugated With Rape

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ABSTRACT

This article deals with the qualification of the crime of premeditated murder in connection with rape or sexual assault in an unnatural manner. This article also addresses the objective and subjective signs and responsibilities of premeditated homicide in connection with rape or unnatural sexual exploitation. In this regard, the views of scholars were analyzed, and appropriate suggestions and recommendations were made to improve the legal norms for which responsibility is established.

KEYWORDS

Intentional Homicide, Rape, Revenge, Qualification, Punishment, Crime, Responsibility, Violence, Method.

INTRODUCTION

The most important of human rights is the right to life. For the first time in history, the human right to life was enshrined in the 1776 US Declaration of Independence. An impression for two centuries. Only its international recognition in the 1948 Universal Declaration of Human Rights served as the impetus for including this right in the Constitutions of a number of countries, including the Constitution of the Republic of Uzbekistan. In particular, Art. 24 of the Constitution as one of the fundamental rights of the individual enshrines the right to life, an inalienable right of every person. In order to fulfill the task of

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protecting human life, Uzbekistan needed, first of all, to create a powerful regulatory framework, to form a powerful normative function of protecting human rights and freedoms.

It is known that the most important means and conditions for the implementation of the tasks set are to ensure the rule of law, strengthen the protection of the rights and interests of the individual, family, society and the state, increase the legal culture and legal awareness of citizens. Moreover, achieving the ideals of democracy, justice and humanism is impossible without a commitment to human rights. The advancement of this group of crimes to the first place corresponds to the most important conceptual idea underlying the reform of criminal legislation, namely, the priority protection of human life and health, his rights, freedoms and legal interests. A significant role in this is played by the norms of criminal law. Today, the Criminal Code solves the problem of protecting human life by its specific methods, forming the signs of crimes against life and establishing strict sanctions for their commission.

To translate into reality the protection of the right to life of a person who is under the protection of criminal law, it is necessary to determine the time limits of a person's life. There are no serious disagreements regarding the moment of death, the termination of life in the scientific literature; most authors associate the termination of human life with biological death. Nevertheless, despite a fairly deep study of this issue in the theory of criminal law, there are still difficulties in the activities of the judicial and investigative bodies in the criminal-legal assessment of the actions of doctors to establish the death of a person and to solve other related problems (termination of resuscitation measures, the legality of the removal of organs or tissues for transplantation, scientific research, etc.)[1].

Biological death is understood as the death of the central nervous system, complete cessation of heartbeat and respiratory arrest. The biological death of the human body is undeniably ascertained after thirty minutes, from the moment the above signs are detected[2]. Biological death occurs, as a rule, with the inevitable natural aging of the human body. At the same time, the onset of a situation of pathological death is also possible. In this case, the aforementioned signs occur as a result of the development of any disease[3]. Today, along with the concept of biological death, the signs of which are indicated above, the existence of the so-called brain death (brain death) is recognized. This is substantiated by the fact that the human body is not just a collection of organs and tissues, but a system that is complexly arranged and functions according to certain biological laws and is controlled by the brain. By the way, in a natural course, brain death very quickly leads to the death of all other organs and systems of the human body. Thus, according to a number of scientists, in connection with the obvious successes of biomedical sciences, in particular resuscitation, it is brain death, and not biological death, that should be considered from the standpoint of criminal law as the moment of the end of a person's life[4].

We agree with the last opinion that "brain death is the already occurring death of a person as a person, even as a biological individual, since his brain, an organ of integration of the physiological systems of the body, has died"[5].

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However, in order to establish the time limits for the beginning of the operation of criminal law norms for the protection of human life, its beginning should be clearly defined, that is, the moment from which a person can be considered a full-fledged member of society. Some authors, for example S.V.Borodin, suggest that the beginning of life be understood as the moment of complete separation of the baby from the mother's body and the beginning of the ability of his body to function independently[6]. In our opinion, it is difficult to agree with this opinion, since in this case, the murder of an infant who has emerged from the mother's womb, but whose umbilical cord has not yet been cut off, or the murder of an infant during childbirth, when his head has already appeared outside the mother's womb, in a criminal in the legal sense would not be recognized as the murder of a person. In this regard, one can agree with the following idea of B.Saryev: "From the criminal-legal point of view, the beginning of a person's life should not be recognized as the moment of the onset of labor, but the moment the baby leaves the mother's womb (from this moment there is a possibility of encroachment on him). From this moment on, any actions aimed at taking the life of an infant are recognized as premeditated murder of a person"[7].

Also in this regard, F.T.Takhirov argues that "the opinion that a person's life begins from the moment any part of the baby's body emerges from the womb should be recognized as correct." It is worth noting that in Soviet criminal law, the beginning of the moment of human life from a criminal legal point of view was given just such an interpretation[8].

However, Art. 5 / 9-2.1 The US Criminal Code of Illinois takes a different position, according to which it is premeditated murder to take the life of an infant in the womb, unborn, but capable of life[9]. In our opinion, this approach is incorrect, since it unreasonably expands the concept of a victim of a given crime. From a moral, religious, ethical, scientific and medical point of view, a living being in the womb is a fetus (embryo), which is not yet capable of a full and independent life. An encroachment directly on him is physically impossible, in essence, the deliberate murder of an unborn baby is a legal paradox, a relic of the Anglo-Saxon system of law, where some curious, nevertheless, existing laws are still preserved[10].

In the scientific literature, you can find a fairly wide variety of definitions given to the concept of murder. For example, according to M.Kh.Rustambaev, premeditated murder is the unlawful deprivation of the life of another person by intent or negligence[11]. F.T.Takhirov and a number of representatives of the Soviet criminal law also put forward similar ideas [12].

In this definition, the meaning of the concept of unlawfulness remains undisclosed. Ultimately, this makes it possible even to recognize a terrorist act as murder. In addition, the introduction of signs of intent or negligence into the concept of murder contradicts the norms of Article 7 of the Criminal Code of the Republic of Uzbekistan (the principle of humanism).

In practice, certain difficulties arise in connection with the qualification of a murder committed with particular cruelty. Although the Plenum of the Supreme Court of the Republic of Uzbekistan pays a lot of attention to clarifying the qualifications of this act, the cases of incorrect qualifications are not

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decreasing. For example, mistakes often occur when qualifying murders with multiple wounds or by arson, when the mental and physical condition of a person, in general, the situation when the crime was committed is not taken into account. Arbitrary interpretation and, as a result, incorrect qualification entails undermining confidence in the judicial authorities and affects the fairness of the punishment.

In practice, the qualification of premeditated murder associated with rape or other sexual crimes is even more difficult. Unfortunately, law enforcement officers do not always take into account the competition of motives, the genesis of the development of a crime, not to mention the criminological or victimological aspect of committing a crime. At the same time, the materials of the judicial and investigative practice of cases of premeditated murder, which we conducted, as well as the results of criminological surveys, studied by us during the study, confirmed our expectations about the presence of a significant number of factors and directions, work on which will provide an opportunity for improvement as national legislation. and improving law enforcement practice, introducing modern criminological and victimological mechanisms for early warning of such particularly serious crimes as murder.

A deeper scientific knowledge of the nature of the murders, the factors that feed their growth, the circumstances under which it was committed, the method, the environment of the crime is needed.

In accordance with the norms of international law, the Constitution of Uzbekistan proclaimed a person, his rights and freedoms as the highest value of society, his rights and freedoms. The protection of these constitutionally guaranteed rights is recognized as the primary responsibility of the state. This task is provided by various measures, including criminal law norms. But the measures taken still do not provide adequate protection of citizens from criminal attacks against life. To this end, it is proposed to consider some of the criminal law provisions related to criminal attacks on life..

If we take into account the position of the legislator, then the increased degree of public danger of murders associated with rape or forcible satisfaction of sexual desire in an unnatural form is seen in the ability and the possibility of causing harm to several objects of criminal law protection at the same time - the perpetrator not only humiliates human dignity, violates the right to sexual freedom, sexual inviolability, but also directly encroaches on human life.

Competition between the direct objects of crime is generated by the complexity of social life. The general interconnection of the phenomena of reality leads to the fact that many criminal acts cause harm in the sphere of a number of related social relations. Establishing criminal liability for a certain crime, the legislator takes this circumstance into account. The design of the corpus delicti, its assignment to a specific chapter in the Criminal Code system is made taking into account the harm caused by the act in the sphere of all social relations - to all direct objects. However, the decisive object here is the main immediate object, that is, the object for the sake of which the corresponding norm is issued and the infliction of harm to which constitutes the social essence of the given crime. At the same

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time, causing harm in the sphere of an additional, secondary object is relegated to the background, but such consequences of the crime are not overlooked.

The selection of the main and additional (or optional) crime from the number of several competing direct objects of the crime greatly facilitates the problem of qualifying the act, but does not completely solve it. For this purpose, it is still necessary to clarify the role of an additional or optional direct object in the mechanism of committing a crime. At the same time, it is found that in many cases, causing harm to an additional object is a method, an integral part of causing harm to the main one. Sometimes damage to the main object can only be caused by causing harm to the additional object.

At the same time, the problem of an additional object of murders of the corresponding type from the standpoint of the theory of criminal law touches upon the problem of the legal nature of such crimes. If murders associated with rape and (or) forcible satisfaction of sexual desire in an unnatural form have, in addition to the main and additional object, then they must be recognized as constituent crimes with all the ensuing consequences.

M.Kh.Rustambaev also speaks about the same, in his opinion, the murder associated with rape or forcible satisfaction of the sexual need in an unnatural form covers the deliberate deprivation of the victim's life in the process of sexual violence, namely with the aim of suppressing the victim's resistance, based on revenge for resistance, or for the purpose of necrophilia, characteristic of the so-called sexual maniacs who prefer to have sexual intercourse with an agonizing victim or with a corpse[13].

In such cases, the perpetrator is charged with a combination of crimes: clause "z" part 2 of article 97 of the Criminal Code and the corresponding part of article 118 of the Criminal Code or article 119 of the Criminal Code, depending on the circumstances of the case.

In addition, it should be borne in mind that criminal acts, defined in judicial and investigative practice as “sexual murders” or “murders for sexual reasons”, “murders on sexual grounds”, represent a very heterogeneous set of behavioral acts that differ, primarily, criminal motivation. Cruelty during sexual intercourse, as its own personality trait, may not be reflected by the subject. In addition, "... There is no need to prove that sexual perversion in murder should be qualified as an aggravating circumstance due to a particular public danger"[14].

In our opinion, it is necessary to adjust the approach to the criminal-legal protection of a person from this kind of encroachment. In view of this, it is necessary to define the crime itself, provided for in paragraph "z" of Part 2 of Art. 97 of the Criminal Code. So, this point qualifies a murder associated with rape or satisfaction of a sexual urge in an unnatural form. The perpetrator in these cases may commit murder in the process of rape itself or in satisfying a sexual urge in an unnatural form in order to paralyze the resistance of the victim (victim), or out of sadistic motives. This should include cases of revenge homicide for resistance shown in the commission of these sexual acts. The victim of this type of murder can be both the victim (victim) of rape or satisfaction of sexual urge in an unnatural form, as well as

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other persons who were killed in connection with the commission of these crimes (for example, witnesses).

Such a murder can also be committed after rape or by satisfying a sexual urge in an unnatural form in order to conceal the crime committed and avoid responsibility. However, if premeditated murder was committed with the aim of concealing another crime against sexual freedom, sexual inviolability, then there can be no question of applying paragraph "z" of Part 2 of Art. 97 of the Criminal Code, the actions of the perpetrator will be qualified according to the aggregate of Article 118 of the Criminal Code and clause "o" part 2 of Art. 97 of the Criminal Code.

Thus, according to clause "z" h. 2, Art. 97 of the Criminal Code of the Republic of Uzbekistan. it is necessary to qualify the cases when, along with premeditated murder, the perpetrator commits rape (Article 118 of the Criminal Code) or satisfying the sexual need in an unnatural form (Article 119 of the Criminal Code).

If we talk about the mechanism of murder itself, then we are talking about the deprivation of life, which is committed in the process of rape or satisfaction of a sexual need in an unnatural form, in connection with the rupture of organs and tissues, as a result of asphyxiation, as a result of internal trauma, etc[15].

The above aspects are also confirmed by the ambiguous understanding of the practice of the judiciary. So, according to clause 13 of the Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan "On judicial practice in cases of premeditated murder" sexual freedom.

Considering that in this case two independent crimes are committed, the deed should be classified under clause "z" of the second part of Article 97 of the Criminal Code and, depending on the specific circumstances of the case, according to the relevant parts of Articles 118 or 119 of the Criminal Code "[16].

Considering that in this case two independent crimes are committed, the deed should be classified under clause "d" of the second part of Article 97 of the Criminal Code and, depending on the specific circumstances of the case, according to the relevant parts of Articles 118 or 119 of the Criminal Code"[17].

It seems that the shortcomings in the interpretation of the understanding of the qualifications of premeditated murder associated with rape in accordance with paragraph 13 of the Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan No. 13 of 24.09.2004 "... depending on the specific circumstances of the case ..."[18] consists in the fact that it focuses on the unjustified an expanded understanding of the concept in question, which can be interpreted in different ways.

In this regard, we believe it is possible to state paragraph 13 of the resolution of the Plenum of the Supreme Court of Uzbekistan dated September 24, 2004. No.13 "On judicial practice in cases of premeditated murder" as follows: "Under the premeditated murder associated with rape or forcible satisfaction of sexual desire in an unnatural form, one should understand the deprivation of life of the victim in the process of committing crimes against

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sexual freedom, accompanied by rupture of organs and tissues victims, asphyxiation, various serious injuries, etc., as well as murder motivated by revenge for resistance when committing an encroachment on sexual freedom or sexual inviolability of the victims.

Considering that in this case two independent crimes are committed, the deed should be classified under clause "z" of the second part of Article 97 of the Criminal Code and, depending on the specific circumstances of the case, according to the relevant parts of Articles 118 or 119 of the Criminal Code".

Speaking about the qualification of premeditated murder, associated with rape or forcible satisfaction of the sexual need in an unnatural form (clause "z" part 2 of article 97 of the Criminal Code), one should come to the conclusion that there is always a combination of crimes provided for in clause "z" Part 2 of Art. 97 of the Criminal Code and the corresponding article (paragraph, part of the article) 118 or 119 of the Criminal Code. This decision is justified by the fact that when a murder is committed involving rape or forcible satisfaction of a sexual need in an unnatural form, competing objects (life and sexual freedom or sexual inviolability) are not in the close connection that exists, for example, in robbery or hooliganism. Murder is not a method of rape or forcible satisfaction of an unnatural sexual urge, just as rape or forced satisfaction of a sexual urge in an unnatural form is not part of murder. This act causes harm to two objects independently, therefore it is necessary to qualify these encroachments each separately. None of these acts covers the other, is not a way of committing another, which means that they are qualified only under clause "z" of Part 2 of Art. 97 of the Criminal Code will be incomplete and, therefore, incorrect[19].

The solution to this practically important problem is possible only through the application of uniform rules for the qualification of crimes in the competition of direct objects. The application of such rules will contribute to the elimination of fruitless disputes about the coverage of some acts by others and the reduction of errors in the classification of crimes.

All of the above can be expressed in the form of a general rule for qualifying crimes in the competition of direct objects: a) an act in which causing harm to an additional direct object of encroachment is a method, an integral part of causing harm to the main object, forms a single crime; b) an act in the commission of which harm to an additional object is inflicted optional, forms a set of crimes.

It seems that the application of these rules in rule-making and law enforcement will significantly ease the complex problem of qualification of crimes and will allow to resolve many controversial provisions of the science of criminal law about the totality of crimes and their qualifications. From these positions, it becomes possible to construct correct recommendations for qualifying such an act as murder associated with rape or forcible satisfaction of a sexual need in an unnatural form.

Taking into account the above circumstances and in connection with the special danger of acts committed on "sexual grounds", we propose in all cases to classify the actions of the perpetrator according to the aggregate of crimes, i.e. according to clause "z" part 2 of Art.

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97 of the Criminal Code of the Republic of Uzbekistan and according to the relevant parts of Articles 118 or 119 of the Criminal Code. It seems that this will make it possible to more specifically qualify the actions of the offender and uniformly apply judicial practice, which will create fewer questions both in theory and in practice.

A murder involving rape or forcible satisfaction of a sexual urge in an unnatural form can also be committed with direct intent, for example, out of revenge for resistance or an intention to report violence to the criminal justice authorities. Rape killings are also committed with direct intent, when the perpetrator kills the victim or her relatives some time after the rape in connection with their intention to file a complaint or in connection with filing a rape complaint with the authorities in order to hide the traces of the crime. With direct intent, murders involving rape are also committed by various kinds of sexual maniacs, for whom the very murder under these circumstances is a pleasure.

Rape-related murders, which are committed while overcoming the victim's resistance, are of a somewhat different nature. In these cases, the murder, as a rule, turns out to be committed with indirect intent, when the perpetrator strangles the victim or hits her on the head. There are known murders when the offender, squeezing the victim's neck, brings her into an unconscious state, and then carries out his intention[20].

In addition, clause "z" of part 2 of article 97 of the Criminal Code is also applicable in the case when the murder was committed by one of the persons who participated in the rape or forcible satisfaction of the sexual urge in an unnatural form. If there is a conspiracy to commit murder, responsibility for its commission comes under the rules of complicity. If there is an excess of the performer, the actions of the participants in the murder are qualified taking into account this circumstance.

The legislator, having noted the sign of the contingency of premeditated murder, nevertheless refers to it not only murder in the process of rape itself, but also murder committed, for example, in revenge for resisting rape. It is sometimes argued that only a murder committed during the rape itself should be considered a rape-related murder. One cannot agree with this. This last murder is specially highlighted in paragraph "z" of Part 2 of Art. 97 from among other types of murders, and therefore, from our point of view, it is the special part of the norm that is subject to application in all indications of cases. In addition, the very wording “murder associated with rape” does not provide grounds for such a narrow understanding of this type of murder[21].

As a result of the analysis of the norms provided for in paragraph "z" of Part 2 of Art. 97 of the Criminal Code, we suggest that under premeditated murder associated with rape or forcible satisfaction of a sexual need in an unnatural form, we understand the actions of a person consisting in the intentional unlawful deprivation of the victim's life in the process, as a result of rape or forcible satisfaction of a sexual need in an unnatural form, and equal to immediately after or in connection with it.

The murder we are investigating is often associated with both rape and, at the same time, the forcible satisfaction of the sexual

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urge in an unnatural form. Therefore, the current edition of clause "z", part 2 of Art. 97 of the Criminal Code should be changed and use the transcription "and (or)". Then the indicated sign will look as follows: "... associated with rape and (or) forced satisfaction of sexual desire in an unnatural form".

In practice, rape or forcible satisfaction of sexual urges in an unnatural form is quite often accompanied by premeditated murder in order to conceal and conceal the fact that these crimes have been committed. Moreover, in fact, murder associated with rape or forcible satisfaction of a sexual urge in an unnatural form is a frequent case of murder in order to facilitate or conceal another crime. It can be committed both after and during the rape. O.G.Krutko also draws attention to this fact. So, she writes that if a person loses his life who is not a victim of rape or forcible satisfaction of sexual desire in an unnatural form, but could know about the crime and report it to law enforcement agencies, the deed must be qualified under paragraph "o" of Part 2 of Art. ... 97 of the Criminal Code.

Otherwise, the murder must be qualified under clause "z" of Part 2 of Art. 97 of the Criminal Code. At the same time, the author argues that in order to qualify a murder on the basis of the indicated criterion (clause "z"), it is necessary that it be committed in a relatively short passage of time, if the murder was committed much later than the rape or satisfaction of a sexual urge in an unnatural form, as well as in relation to a person who is not a victim of crimes against sexual freedom, Rustambaev M.Kh., O.G.Krutko proposes to qualify the offense under the totality of Art. Art. 118 or 119 and clause "o" part 2 of Art. 97 of the Criminal Code[22].

In this regard, it is proposed to state paragraph "z" of Part 2 of Art. 97 of the Criminal Code, as follows:

3) associated with rape and (or) forcible satisfaction of sexual desire in an unnatural form, or committed with the aim of concealing another crime or facilitating its commission.

Naturally, clause "o" on part 2 of Art. 97 of the Criminal Code will need to be excluded.

REFERENCES

1. Krylova N., Safonov V. On the question of determining the moment of the end of a person's life in the criminal law of the Russian Federation. // J. Criminal law. 2010. – No.3. – P.54.
2. Jalolov J. Court tibbiyotidan terminologist malumotnoma. –T.: Med. ed. named after Abu Ali ibn Sino, 1995 .– p. 119.
3. S.V.Borodin Crimes against life. – M., Yurist, 1999. –p. 17.
4. Ivanyushkin A.Ya. Evolution of the concept of brain death in our country // Medical Law and Ethics. – 2003. –No. 1.– P.44.
5. Ivanyushkin A.Ya. Decree. op. – P.43.
6. S.V.Borodin. Qualification of crimes against life. – M., 1977. – p.16.
7. Saryev B. Responsibility for crimes against life and health. – Ashgabat, 1973. – p. 18.
8. Toxirov F.T. Crimes against the person and their legal analysis: Textbook. – Tashkent: Yangi asr avlodi, 2001. –B.5.
9. Soviet criminal law: A special part. Textbook. B.A. Akhmedov, B.A. Blinder, S.G. Zakutsky and others /

Published: November 30, 2021 | **Pages:** 112-121
Doi: https://doi.org/10.37547/tajpslc/Volume03Issue11-16

Answer. editor: B.A. Akhmedov. – Tashkent: Ukituvchi ,. –B.53.

10. Criminal Law and Procedure Handbook of Illinois. Gould Publications. Inc. 1995. Specific Offenses. 5 / 9-2.1, – p. 252-253, 866.
11. Rustamboev M.H. Course of Criminal Law of the Republic of Uzbekistan. Volume 3. Crimes against the person. Crimes against peace and security. Textbook. 2nd edition, completed and revised. – Tashkent, Military Technical Institute of the National Guard of the Republic of Uzbekistan. 2018. – 29 b.
12. Toxirov F. Crimes against the person and their legal analysis: Textbook. - Tashkent: Yangi asr avlodi, 2001. –B.5.
13. Rustambaev M.Kh. Responsibility for sexual violence under the criminal law of Uzbekistan. –T .: TSUI, 2009 . – P. 97.
14. Afanasyev S.A., Ivanov V.I., Novik V.V. Features of investigations of sexual-sadistic murders. Tutorial. St. Petersburg, 1993. – p. 40.
15. Rustambaev M.Kh. Crimes against the person. Publishing house "Eldinur", Tashkent 1998. –p. 36.
16. Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan "On judicial practice in cases of premeditated murder" dated September 24, 2004, item 13. Collection of Resolutions of the Plenum of the Supreme Court of the Republic of Uzbekistan. T. II. –T.: Adolat, 2006. – P. 463.
17. Rustambaev M.Kh. Responsibility for sexual violence under the criminal law of Uzbekistan. –T .: TSUI, 2009. – P. 97.
18. Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan "On judicial practice in cases of premeditated murder" dated September 24, 2004, item 13. Collection of Resolutions of the Plenum of the Supreme Court of the Republic of Uzbekistan. T. II. –T.: Adolat, 2006. –P. 463.
19. In the same place. –T .: Adolat, 2006. – P.463.
20. Dzhekebaev U.S., Rakhimov T.G., Sudakova R.N. Motivation of crimes and criminal responsibility. –Alma-Ata: Science. 1987. –S.191.
21. Борзенков Г. Особенности квалификации убийства при конкуренции или сочетании различных квалифицирующих признаков // Уголовное право. 2007., –№ 5., – С. 7-11.
22. Rustambaev M.Kh., Krutko O.G. Responsibility for premeditated murder in aggravated circumstances on the basis of a subjective side. – T .: TGYUI, 2006. – p.198-205.