



THE LEGAL BASIS OF THE CRIME OF TRAFFICKING IN PERSONS

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Abstract

This article discusses the concept of the crime of human trafficking, its legal basis, its significance in criminal law and the norms of punishment established for this crime, statistical indicators of the crime of human trafficking, international experience, as well as measures to be taken to prevent this crime.

Keywords. Trade, punishment, law, crime, factors, legal literacy.

Introduction

In today's context of globalization and social inequality, human rights remain under threat. Trafficking in human beings, in particular, is one of the most serious crimes against human freedom, causing great damage not only physically, but also spiritually and socially. Despite extensive action by the international community, the problem of trafficking in human beings remains urgent. Trafficking is the sale or exploitation of a person by deceiving or coercing him, that is, to use him for profit. This type of crime is usually committed against poor, unemployed or troubled people. This crime is one of the most serious crimes directed against human freedom, rights and dignity. In 2013, the United Nations declared 30 July – World Day Against Trafficking in Persons.

Sadly, despite the large-scale fight against human trafficking around the world, millions of people continue to fall victim to "modern slavery" every year. Women, the elderly, and even children are facing this problem. One of the main factors contributing to the rapid development of human trafficking is the insufficient knowledge of many about working and living conditions abroad.



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Unfortunately, people who are left vulnerable in unfamiliar countries are subjected to hard labor and even sexual exploitation, often in the hope of greater profits. According to the UN, approximately 2 million 700 people become victims of human trafficking each year. Annual revenues from this crime exceeded US\$7 billion. The most worrying aspect is that about 80 percent of the victims are women and children. Every year, more than 600,000–800,000 women and children are smuggled abroad and trafficked around the world. At a time when this global problem is developing at a high level in other countries, this type of crime has not even surpassed our country. Today, the legislation of our country, namely the law "On combating human trafficking", Article 135 of the Criminal Code stipulates the norms of punishment for the crime of human trafficking, as well as plenum decisions have been developed in the "On judicial practice in cases related to human trafficking". According to the press service of the Supreme Court of the Republic of Uzbekistan, during 2023, a total of 126 people were prosecuted under Article 135 of the Criminal Code - that is, crimes related to human trafficking. Of these, 84 were sentenced to imprisonment, and the remaining 42 were sentenced to conditional or restriction of liberty. It is noteworthy that among those convicted, 111 were women and 15 were men. A total of 242 civilians were injured as a result of these crimes, of which 151 were women and 24 were infants under 3 years of age. In January–May 2024, another 69 citizens were tried under the same article, of which 52 were sentenced to imprisonment, the remaining 17 were sanctioned such as fines, conditional sentences or restriction of liberty. Of those convicted during this period, 53 were women and 16 were men. The number of victims reached 86 people, including 63 women and 14 children under 3 years old. These figures show that while anti-trafficking measures are being strengthened, the crime still exists as a serious threat. The high number of casualties, especially among children and women, is an alarming situation.

Research Methodology

On July 30, 2019, President of the Republic of Uzbekistan Shavkat Mirziyoyev signed a decree "On additional measures to further improve the system of combating human trafficking and forced labor". An important feature of this



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document is that it was published on the same day as July 30, the International Day Against Trafficking in Human Beings, which was celebrated at the 68th session of the UN General Assembly in 2013. In recent years, Uzbekistan has implemented significant reforms aimed at protecting human rights and freedoms, radically improving the judicial and legal system. In particular, a comprehensive system of measures has been formed to prevent crime, combat human trafficking and eliminate forced labor. Practical mechanisms have been introduced to identify victims of human trafficking, provide them with legal and social protection, and if necessary, provide medical and psychological assistance. In particular, child labor has been curtailed, and a policy is being pursued against the use of forced labor by citizens in the course of agricultural, landscaping and landscaping. In addition, cooperation with non-governmental non-profit organizations, civil society institutions and foreign partners has been established in order to reliably protect the rights and legitimate interests of citizens, improve the authority of the state in the international arena. Particular attention is paid to the issue of providing social assistance and rehabilitation to victims of human trafficking. In particular, a special rehabilitation center in Tashkent is working in this direction. This institution attracts medical workers, psychologists, lawyers and other professionals who provide necessary assistance to victims of human trafficking with an individual approach. To date, the center has provided psychological, social, legal and medical services to over 3,000 victims. From the above-mentioned reforms, it is clear that a huge number of measures against this crime are being implemented in our country. Given that this crime is considered a type of crime that completely undermines human dignity and is considered to be a much more dangerous crime from the point of view of humanity, all states are developing measures to combat it. For example, New York University (NYU) received \$ 1,5 million to reduce forced labor of domestic workers in Tanzania. New York University and local partners are working in Zanzibar and Dar es Salaam to reduce forced labor among domestic workers traveling to the Middle East by providing prevention and rights awareness, pre-departure education, and post-departure monitoring of workers in vulnerable communities. The program also includes testing of other prevention methods, including vocational training for potential migrants to



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expand their opportunities to work in their homes. New York University received \$ 1,6 million to combat forced labor in Costa Rica's artisanal fisheries sector. NYU, along with local partners, is fighting forced labor in the Nicoya Bay. The program aims to identify potential victims of human trafficking and guide them safely, and to increase opportunities for at-risk communities to know their rights and access legal aid. It is clear that in order to solve every crime and legal problem, it is necessary first of all to prevent it, that is, to implement preventive measures at a high level. The Freedom Fund received \$1.3 million to focus on efforts to reduce child sex trafficking in the Brazilian cities of Reifi and Olinda. This project will help coordinate government and civil society in the prevention of child sex trafficking, develop evidence of the prevalence of child sex trafficking and enhance child protection through multidisciplinary partners, including mental health, law, school, public health and government professionals, as well as comprehensive care and prevention efforts with survivor awareness.

Conclusion

Today's analysis shows that one of the most dangerous and widespread forms of human trafficking is trafficking young women, who are deceived by unemployment and the promise of overseas employment. This problem poses a serious threat, especially among girls who dream of working abroad. Cases of deceiving them through illegal intermediaries and subjecting them to sexual exploitation or forced labor still occur. To prevent this problem, it is important not only to strengthen legal measures, but also to increase legal literacy among young people, especially women, to conduct large-scale propaganda against fraud schemes on the Internet and social networks. In addition, the urgent task of the state bodies is to openly provide a list of reliable, permitted agencies to citizens wishing to work abroad.

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