



Journal Homepage: -www.journalijar.com

INTERNATIONAL JOURNAL OF ADVANCED RESEARCH (IJAR)

Article DOI:10.21474/IJAR01/10932
DOI URL: <http://dx.doi.org/10.21474/IJAR01/10932>



RESEARCH ARTICLE

COOPERATION OF THE STATES IN STRUGGLE AGAINST ORGANIZED CRIME WITHIN THE LIMITS OF THE COMMONWEALTH OF INDEPENDENT STATES COUNTRIES

Nizamedinkhodjaev U.R.

The Military-Technical Institute of the National Guard of the Republic of Uzbekistan, T. Djalilov - 45, Tashkent, 100057, Uzbekistan.

Manuscript Info

Manuscript History

Received: 08 March 2020

Final Accepted: 10 April 2020

Published: May 2020

Key words:-

Cooperation of the states, Organized Crime, Commonwealth of Independent States (CIS)

Abstract

The article is devoted to the discussion of problems of development of cooperation of the states in the fight against organized crime of the commonwealth of independent states (CIS). Consolidation and escalating of efforts on interaction of law enforcement bodies of the Commonwealth will allow solving more productively one of the main strategic problems of the CIS - the further development of integration processes in the Commonwealth countries.

Copy Right, IJAR, 2020.. All rights reserved.

Introduction:-

In the beginning of the 90th of the 20th century in the conditions of new geopolitical relations before republics of the former Soviet Republic there was a whole complex of problems including connected with maintenance of public order against sharp activation of different criminal groups, whose activity began to carry not only transboundary character, but also to make serious impact on economy of the independent states and safety of citizens.

In April, 1992 at meeting of Ministers of Internal Affairs of the independent states in Alma-Ata, it had been concluded and signed Agreement for interaction of the Ministries of Internal Affairs of the independent states in sphere of struggle against crime [1]. Important stage in the field of struggle against organised crime was conclusion of Convention of about legal aid and legal relations on civil, family and criminal cases [2]. Between the Commonwealth of Independent States (CIS) countries, that has allowed more full and more carefully at multilateral level to solve questions of joint struggle against criminality. The convention has been signed in Minsk on January 22, 1993 by heads of member states the CIS.

In the specified Convention the special attention has been paid to the order and conditions of issue by one CIS country to another of the persons who are in territory of each of the states which has signed the Convention, for being criminally liable or for reduction of sentence in execution. Here cases when the extradition is obligatory are considered when it can be refused or when the extradition can be delayed, and also conditions of a capture of the given out person under guards etc. are stipulated. In the Convention, it is also defined the procedure of criminal prosecution. In it there is noticed that each contracting party according to the legislation undertakes to make criminal prosecution of the citizens suspected of commission of crime in territory of the requesting party. The Convention contains number of the regulations, concerning transfers by contracting parties of the subjects used by criminals, evidentiary and other information on the perfect and investigated crime leading to transfer of the person according to provisions of the Convention.

Corresponding Author:- Nizamedinkhodjaev U.R

Address:- The Military-Technical Institute of the National Guard of the Republic of Uzbekistan.
T.Djalilov-45, Tashkent, 100057, Uzbekistan.

Approving of the Program of joint efforts about struggle against the organised crime and other dangerous kinds of crimes in the territory of the CIS countries in March, 1993 by the Council of heads of the governments of the CIS countries became following step in the field of struggle against the organised crime [3].

In this Program especially sharp deterioration of criminogenic conditions in the majority of the state-participants of the CIS, displeasing the population and posing real threat of national safety and to process of the reforms spent in the sovereign states was marked. According to this Program there was an object in view to develop and conclude interstate agreements concerning cooperation in sphere of struggle against the organised crime, the illegal reference of the weapon, explosive and radioactive substances, about an order of interaction of investigatory-operative groups in territory of other states, about order of interaction of law-enforcement bodies, customs services and frontier troops, about cooperation in sphere of struggle against crimes in bank, credit and financial systems, commercial structures and in foreign trade activities sphere, about cooperation in sphere of struggle against a drug trafficking.

Acceptance in September, 1993 by Council of heads of the state-participants of CIS countries of the decision about creation of Bureau for coordination of struggle against organised crime (BCSAOC) and other dangerous crimes in territory of the CIS [4] became the important event. Acceptance of this decision has been caused by proceeding expansion of zone of activity of the organised crime, growth of number of the crimes made by organised criminal groups in all former republics of the USSR that has forced country leaders of the CIS to raise the problem of creation of corresponding interstate body which could provide appropriate coordination of efforts of law enforcement bodies in struggle against the organised crime and its displays. Simultaneously with acceptance of the specified decision Position about it Bureau as about constantly operating body on the organisation of struggle against the organised crime and other dangerous crimes in territory of the CIS has been confirmed. BCSAOC develops as agreed with all Ministries of Internal Affairs of the CIS countries plans-schedules of carrying out of the complex operatively-preventive actions provided by interstate programs. Actions according to plans-schedules are spent on a wide spectrum of problems of struggle against criminality. These actions provide a concentration of efforts of all Ministries of Internal Affairs on the decision of pressing questions of struggle against criminality. Complex operations were generally recognised. In November, 1995 in Moscow Council of heads of the governments of the CIS has supported the offer brought by Byelorussia on formation of working group on working out of the project of the Interstate program of joint efforts of struggle against the organised crime in territory of the state-participants CIS for the period up to 2000. In process of cooperation expansion the understanding of necessity of closer integration of work of departments in all directions of law-enforcement activity grew also. As a result of January, 19th, 1996 Council of heads of the CIS countries makes the decision on creation of Ministerial council of internal affairs of the state-participants CIS (CMIA). Today the Ministerial council is a body of the branch cooperation, called to provide interaction of the Ministry of Internal Affairs of the state-participants CIS not only concerning struggle against criminality, but also in other directions of their teamwork. The basic form of work – sessions which serve as an original forum in which frameworks of the head of departments the coordinated decisions directed on neutralisation of new calls and threats, the CIS countries infringing on interests make. Council acts in a role of the uniform coordination centre allowing on the basis of the deep analysis developing on territory of the countries of Commonwealth of operative conditions to develop effectual measures of reaction on the whole spectrum of questions, the organised crime connected with counteraction, to terrorism, a drug trafficking and other dangerous kinds of crimes. CMIA is the active participant of process of formation of contract-legalbase and organizational bases of interstate interaction in struggle against criminality [5]. Within the limits of this work he cooperates with Executive committee of the CIS and Inter-parliamentary, Assembly of the countries of the Commonwealth. The majority of initiatives CMIA directed on formation of uniform strategy of counteraction to criminal activities, at interstate level find the reflection in modelling acts, and also the decisions accepted by Council of heads of the governments and Council of heads of the CIS countries. As toolkit of such decisions interstate target programs in various directions of struggle against criminality which put organizational bases act and define a vector of efforts of law-enforcement community with the account of realities of today. The applied mechanism of realisation are coordinated preventive, operatively-searching actions and the special operations directed on neutralisation of organised criminal groups, whose activity has transboundary character. In April, 1996 in Moscow Council of heads of the governments of the CIS has approved already developed a Program which has included measures on strengthening of international legal base of cooperation, perfection and harmonisation of national legislations, carrying out of joint interstate target operatively-preventive operations, information, scientific, personnel, material and financial maintenance. Realisation of the specified Program has allowed giving dynamism and new quality to cooperation of the state-participants CIS in the field of struggle against criminality. Developed conditions have demanded acceptance of the new Program of the interstate measures directed on perfection of

cooperation in struggle against criminality. Therefore with a view of maintenance of efficiency of cooperation in struggle against criminality Council of heads of the CIS countries has decided to confirm on January 25, 2000 the Interstate program of joint efforts of struggle against criminality for the period from 2000 up to 2003. However, despite activation of cooperation of the states in struggle against the organised crime, it was observed the extremely dangerous tendency — escalating of transnational communications among criminal communities of the separate states of near and far abroad that promoted appreciably by objective preconditions: openness of borders, expansion of economic relations between the states, weak legal regulation of these processes. In these conditions organised crime counteraction can be considerably raised at complex interaction of all special services of the CIS. In this connection the base documents providing target application of available forces and means of law-enforcement structures, the interstate programs accepted on intermediate term are period according to decisions of Council of heads of the CIS countries. The interstate program of joint efforts of struggle against criminality for 2011-2013, has been directed on the further perfection of cooperation of the state-participants CIS, authorised bodies and bodies of branch cooperation of the CIS in struggle with criminal activity. Primary goals of the Program: first development of international legal base of cooperation of the state-participants CIS; secondly perfection and harmonisation of the national legislation of the state-participants CIS; in the third carrying out of the complex joint and-or coordinated interdepartmental preventive operatively-search actions and special operations; in the fourth information and scientific maintenance of cooperation; cooperation realisation in a professional training, improvement of professional skill of experts. The interstate program of joint efforts of struggle against criminality during 2014–2018, which has problems: first development of international legal base of cooperation of the state-participants CIS; secondly perfection and harmonisation of the national legislation of the state-participants CIS; in the third carrying out complex joint and-or coordinated interdepartmental preventive, operatively-of searching actions and special operations; information and scientific maintenance of cooperation; in the fourth realisation of cooperation in a professional training, improvement of professional skill of experts; development of cooperation with the international organisations [6]. It is necessary to notice that the Bureau on a constant basis, proceeding from developing practice, carries out modernisation of legal bases of interaction at realisation of interstate search of persons. With a view of increase of efficiency of use of the Specialized databank of Bureau now carries out its modernisation directed on increase of possibilities of operative informing of competent bodies about personal structure, communications, movings of members of transnational criminal groups, the facts of fulfilment of crimes in territory of other countries of the Commonwealth and other operatively significant circumstances. The received experience of interstate cooperation allows BC SAOC to realise in practice necessary administrative impulses in interests of consolidation of efforts of law-enforcement bodies of the countries of the Commonwealth in struggle against criminality against the account of modern threats. It, first of all, introduction in a life of the Concept of development of cooperation of the Ministries of Internal Affairs of the state-participants of the Commonwealth of Independent States for the period up to 2020, confirmed on gradual expansion of a coordination role of Bureau, circle of problems carried out by it and functions in the general interests of the countries of the Commonwealth. Thus, consolidation and escalating of efforts on interaction of law enforcement bodies of the Commonwealth will allow solving more productively one of the main strategic problems of the CIS – the further development of integration processes in the Commonwealth countries.

References:-

1. Commonwealth of professionals resists against crime (2016): M.J. Police of Russia. No.1. pp. 10-27.
2. Dolgova A. I. (2011): Criminologic estimation of the organised crime and corruption, legal fights and national safety. M, pp. 668.
3. Ya. Kozachenko, K. V. Korsakov. M (2011): Criminology: Textbook. NORMA-INFRA TH., — pp. 304.
4. Derevyanko E. (2015): BKBOP: 22 years of fruitful work. M.J. Commonwealth., No. 3. pp. 36-40.
5. CMIA: yesterday, today, tomorrow (2015): M.J. Commonwealth., No.4 pp.10-16.
6. Criminality is resisted by commonwealth of professionals (2016): M. J. Police of Russia.. No.1. pp. 10-27.