

Features of Legal Support for Arms Circulation

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Abstract. This article examines the role of legislation regulating arms circulation in the Republic of Uzbekistan in ensuring public safety, the importance of the state control function in this area, the stages of its development based on a comparative analysis of legislative acts, and substantiates the need and importance of adopting the Law "On Weapons". Based on the analysis of the norms of current legislative acts and the practice of their application, the article examines the issues of improving the legal framework for preventing illegal circulation of weapons and ammunition to them, as well as the classification and characteristics of administrative and criminal legislation related to illegal arms circulation, and provides the author's concepts related to illegal arms circulation.

Key words: weapons, ammunition, turnover, main parts of weapons, license , permit, illegal arms turnover, violation of legislation, prevention, responsibility, law enforcement practice, consequences, improvement.

INTRODUCTION

Legal regulation of the circulation of weapons, ammunition and explosives is of crucial importance for ensuring public order and security, as well as preventing crime. Cases of illegal use of civilian weapons and explosives in some countries, including for terrorist purposes and in committing mass acts of violence, indicate insufficient control in this area.

According to scientific analysis, between 1991 and 2024, there were 129 mass shootings worldwide, most of which were committed using civilian (mostly hunting) weapons, and in some cases, unregistered service and combat weapons. In these incidents, 593 people died (an average of 4.59), and most often the number of victims did not exceed 3 (53.2%).

Between 1966 and 2012, 171 such incidents occurred in 71 countries, an average of 1.7 per country. Of these , 31% occurred in the United States , the rest in the Philippines (18), Russia (15), Yemen (11) , and France (10) . in countries happened made ¹.

¹AVERAGE. Golenkov, P.B. Zotov, V.A. Kozlov, A.V. Filonenko " Mass murders with the use of firearms in modern Russia " pp. 110 and 114, electronic source: mass-murders-with-the-use-of-firearms-in-modern-russia.pdf;

For example, on 22 July 2011, two domestic terrorist attacks in Norway (*Norwegian: 22 July or 22/7 in Norway*) killed a total of 77 people, carried out by right-wing extremist Anders Behring Breivik using firearms and explosives against the government, civilians, and a summer camp of the Workers' Youth Union (AUL) ².

On October 17, 2018, 18-year-old college student V. Roslyako against 21 people and at Perm City University on September 20, 2021, 21-year-old university student T. Bekmansurov against 6 students and teachers using civilian weapons and improvised explosive devices registered with the internal affairs agencies, ³testify to the need for continuous improvement in this area.

Judicial practice shows that crimes related to the illegal storage and keeping of weapons, ammunition, main parts of firearms, explosives, explosive devices or explosive devices, as well as careless storage of firearms or ammunition, create a serious threat to public safety, freedom, life and health of citizens ⁴.

According to the analysis, between 2020 and 2024, a total of 9,488 thousand weapons (874 in 2020, 994 in 2021, 1,447 in 2022, 3,222 in 2023 and 2,951 in 2024) and 49,670 thousand (6,042 in 2020, 3,448 in 2021, 19,561 in 2022, 9,189 in 2023 and 11,430 in 2024) units of illegally sold ammunition were seized in our country. To what extent does the continuous implementation of measures in this direction indicate its importance?

Since the illegal circulation of weapons, ammunition and explosives may pose a threat to public safety, it is necessary to establish a special legal regime in this area. This activity is an important area of public administration policy and requires priority and constant control by the competent authorities.

LITERATURE ANALYSIS AND METHODOLOGY

Today, the priority task of law enforcement agencies is to ensure compliance with the established legal regime for the circulation of weapons, ammunition and explosives, which allows preventing crimes and ensuring public safety. Research shows that illegal arms trafficking has a significant impact on the crime situation ⁵.

Criminological studies show that crimes involving weapons, ammunition, explosives and detonators pose a high level of public danger. Therefore, preventing these crimes, developing measures to combat them, and defining theoretical and legal concepts in this area are urgent tasks. "Counteracting the illegal circulation of weapons and ammunition" involves the effective use of criminal law measures. In this area, ⁶scientific research was conducted by

²Terrorist attacks in Norway in 2011, electronic source: Terrorist attacks in Norway in 2011 - Wikipedia (turbopages.org) ;

³" Mass murder at Kerch College: what is known on the morning of October 18 " " An article on the Meduza website on October 18, 2018, dedicated to the tragic events at the Kerch Polytechnic College " and " Before the attack on the university, Bekmansurov studied the mistakes of other shooters " An article on the RIA Novosti website on November 29, 2022 Telling about Timur Bekmansurov's preparation for the attack on Perm State University Electronic source: https://meduza.io/feature/2018/10/18/massovoe-ubiystvo-v-kerchenskom-kolledge-cto-izvestno-na-utro-18-oktyabrya?utm_source=chatgpt.com ; https://ria.ru/20221129/bekmansurov-1834933076.html?utm_source=chatgpt.com

⁴Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan "On judicial practice in cases of illegal possession of weapons" No. 3, paragraph 1 of 02/27/1996, electronic source: <https://www.lex.uz/docs/1441585?ONDATE=20.11.2023%2000#edi6688992>;

⁵ S.A. Grigoryants Concept and types of arms trafficking, characteristics of illegal trafficking in weapons, ammunition, explosives and explosive devices // Science and education: economy and economics; entrepreneurship; law and management. 2011. No. 9 (15). Electronic source: <https://cyberleninka.ru/article/n/ponyatie-nezakonnogo-oborota-oruzhiya-i-klassifikatsiya-prestupleniy/viewer>.

⁶S.M. Malkov "Criminal-legal understanding of illegal actions with weapons in the state 222 of the Criminal Code of the Russian Federation" // Advocate practice. 2007. No. 1; I. Yu. Tsyganov " Illegal acquisition, transfer, sale, storage, transportation, carrying of firearms and their main parts, ammunition, explosives or explosive devices " // Law and Right, 2008. No. 7.; HOW. Samodelkin " Legal and organizational - tactical bases for preventing and opening proposals related to the illegal circulation of weapons and explosives: Textbook " / Volgograd: VA MVD of Russia, 2006; D.A. Koretsky " Weapons and their illegal circulation: criminological characteristics and prevention " / D.A. Koretsky E.V. Solonitskaya. SPb.: Pravo. Center Press, 2006. Electronic source: <https://cyberleninka.ru/article/n/k-voprosu-o-ponyatii-nezakonnogo-oborota-oruzhiya/viewer>.

M.M. Kalandarov, S.M. Malkov, I.Yu. Tsyganov, A.S. Samodelkin, D.A. Koretsky, S.A. Grigoryants, S.A. Nevsky, Yu.V. Zagaynova and other scientists.

In particular, M.M. Kalandarov defined this concept as “all processes related to the creation of weapons, their main parts, ammunition, explosives or explosive devices in violation of the order and rules established by government decrees and regulatory documents of specially authorized bodies, or contrary to the prohibitions established in them, as well as their provision to the consumer (consumers) in a certain place and time, their manifestation in various ways and destruction.”⁷

criminal movement ⁸of subjects of illegal arms trafficking, combined with shortcomings in the sphere of legal arms trafficking”, and S.A. Nevsky - as “a specific process of the emergence, distribution, application and use of weapons in society, manifested in the violation of the rules of handling weapons established by law and the commission of actions prohibited by law, depending on social conditions” ⁹.

In another study, Yu. V. Zagaynova considers this concept as “a process that occurs with the violation of the rules established by the legislation on weapons and other objects, manifested in the cases specified in Article 222 of the Criminal Code of the Russian Federation, and in the commission of actions prohibited by law, depending on the specific social conditions of the use, use and distribution of weapons in society and manifested in the commission of actions prohibited by law” ¹⁰.

Authors have different approaches to the concept of illegal arms trafficking: some assess this phenomenon as a shortcoming of legal turnover, while others do not analyze this concept, considering it general and widespread. The lack of a uniform approach, as well as the results of our study, necessitate the formulation of the author's definition of this problem.

DISCUSSION

The analysis shows that the regulation of relations related to arms circulation by separate special laws in foreign countries began in different years. In particular, in the Russian Federation, laws on arms and ammunition circulation were adopted in 1993 ¹¹, in the Republic of Kazakhstan - in 1998 ¹², in the Kyrgyz Republic - in 1999 ¹³, in the

⁷M.M. Kalandarov "Issues related to the concept of illegal trafficking in firearms, ammunition, explosives or explosive devices" / Bulletin of the Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan. - 2021. - No. 2 (49) 117.

⁸S.A. Grigoryants " Illegal trafficking of weapons, ammunition, explosives and explosive devices as an object of criminological research: abstract of dis. ... candidate of legal sciences. Rostov-on-Don, 2011. P. 37. Electronic resource: <https://www.dissercat.com/content/nezakonnoy-oborot-oruzhiya-boepripasov-vzryvchatykh-veshchestv-i-vzryvnykh-ustroystv-kak-obe?ysclid=m9a3mtbg2g204476840>.

⁹S.A. Nevsky " Combating the illegal circulation of weapons, ammunition and explosives: (historical, criminological and criminal-legal aspects). " M.: Yurlitinform, 2008. WITH. 211. Electronic source: <https://cyberleninka.ru/article/n/2010-02-037-nevsky-sa-protivodeystvie-nezakonnomu-oborotu-oruzhiya-boepripasov-i-vzryvchatykh-veshchestv-istoriya-kriminologiya-i/viewer>;

¹⁰ Yu.V. Zagaynova Coal-legal characteristics of illegal arms trafficking: dissertation ... candidate of legal sciences. - Saratov, 2015. - 185 p. Electronic source: https://rusneb.ru/catalog/000199_000009_003391180/?utm_source=chatgpt.com ;

¹¹ Law of the Russian Federation " On Armament " dated 20.05.1993 N 4992-I , \ Electronic source: ConsultantPlus (consultant.ru) ;

¹² Law of the Republic of Kazakhstan dated December 30, 1998 No. 339-I "On state control over the circulation of certain types of weapons" (amendments and additions dated 06/08/2024) Electronic source: (zakon.kz) ;

¹³ Law of the Kyrgyz Republic of June 9, 1999 No. 49 "On Water Resources" Electronic source: (minjust.gov.kg) ;

Republic of Belarus - in 2001 ¹⁴, ¹⁵in the Republic of Estonia - in 2001, in the Republic of Turkmenistan - in 2009 ¹⁶, in the Republic of Latvia - in 2010 ¹⁷, in the Republic of Tajikistan - in 2013 ¹⁸.

In the legal system of Uzbekistan, formed over the years of independence, the institution of the legal order (regime) for the circulation of weapons and ammunition is new, and the adoption of the Law of the Republic of Uzbekistan "On Weapons" in 2019 is an important step towards its improvement.

Based on the results of the study, the development of legislation regulating arms trade in our country can be divided into three stages:

the first stage is the period when the arms trade sphere was regulated by by-laws;

the second stage is the period of adoption of the Law "On Weapons";

The third stage includes the period of improving legislation within the framework of the implementation of this law.

Before the law was adopted, the rules governing arms circulation were scattered and did not have a unified legal basis. This led to legal gaps and practical problems in applying the law. In particular, the lack of a clear definition of such concepts as "weapons", "types of weapons", "main components" created difficulties in their legal assessment.

The analysis shows that the Law "On Licensing Certain Types of Activities" in force at that time ¹⁹included only weapons circulation in the list of licensed types of activities; the procedure for its implementation was not determined by legislative acts, and these relations were regulated by departmental documents ²⁰.

Due to the absence of a separate special law, the rights and obligations of authorized bodies, as well as citizens, are not clearly defined, and the possibilities for improving legal documents are limited.

As a result, the circulation of new types of weapons (*gas, pneumatic, electric shock, combat, etc.*) is not regulated in terms of their technical characteristics and level of public danger, which has not allowed the establishment of effective and comprehensive state control over the circulation of weapons.

¹⁴Law of the Republic of Belarus "On Weapons" 61-Z of 13.11.2001. Electronic resource: https://zakony-by.com/zakon_rb_ob_oruzhii.htm;

¹⁵The Estonian Law on Weapons Published by the Decree of the President of the Republic on July 3, 2001. N 1117. Adopted on June 13, 2001 (RT I, 2001, 65, 377), Entered into force on March 31, 2002 Last revised on January 1, 2012, Electronic resource: (wordpress.com) ;

¹⁶Law of Turkmenistan "On Armament" (Bulletin of the Mejlis of Turkmenistan, 2009, No. 4, Article 78), Electronic source: (mejlis.gov.tm) ;

¹⁷The Law of Latvia "On the Circulation of Weapons and Special Means" of 08.07.2011. Law /LV, 112 (4510), 07.07.2011. / Entered into force on 21.07.2011., Electronic source: <https://studylib.ru/doc/2328829/ob-oruzhii%C2%BB-latvii?ysclid=m0m5my515s896465937>

¹⁸Law of the Republic of Tajikistan "On Weapons" (as amended by the Law of the Republic of Tajikistan dated 26.07.2014 No. 1105, 08.08.2015 No. 1217) Electronic source: Microsoft Word – RU – Law of the Republic of Tajikistan on Weapons 2013.doc (vertic.org) ;

¹⁹ Law of the Republic of Uzbekistan "On Licensing of Certain Types of Activities", No. 71-II dated 25.05.2000, National Legislation Database, 21.04.2021, No. 21.03.683/0375 ; Resolution of the Oliy Majlis of the Republic of Uzbekistan "On the list of types of activities for which licenses are required", No. 222-II dated 12.05.2001, National Legislation Database, 26.02.2021, No. 21.03.677/0155 ; Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On measures to implement the Law of the Republic of Uzbekistan "On licensing of certain types of activities" dated June 28, 2002 No. 236, National Database of Legislative Information, December 28, 2020, No. 20.09.810/1673 ;

²⁰ Instructions approved by the order of the USSR Ministry of Internal Affairs dated December 1, 1987 No. 246 ("On the procedure for the acquisition, transportation, storage, accounting and use of firearms, ammunition for them, the manufacture of bladed weapons, the opening of shooting ranges, shooting ranges, shooting and hunting stands, weapons repair workshops, trading in firearms, ammunition for them and hunting knives); Order of the Ministry of Internal Affairs of the Republic of Uzbekistan dated August 20, 2001 No. 226 "Procedure for the purchase, transportation, storage, accounting and use of weapons, ammunition for them, the production of saber bladed weapons, shooting ranges, shooting ranges, shooting and hunting stands, the activities of weapons repair workshops, the sale of weapons and ammunition for them" on the "Temporary Instructions" .

Since 2000,²¹ as part of the implementation of a number of regulatory documents, the Ministry of Internal Affairs, in agreement with interested bodies, developed a draft Law "On Weapons" and repeatedly submitted it for consideration to the Cabinet of Ministers.

In preparing the project, the legislative experience of such countries as Germany, France, China, the USA, Canada, Great Britain, Israel, Russia, Belarus, Kazakhstan, and Kyrgyzstan in this area was used.

RESULTS

As a result, the Law "On Weapons" was adopted, which²² legislatively defined the following main issues regulating the circulation of weapons and ammunition for them:

First of all, a role to transaction due basic concepts, principles And objects clarified;

secondly, a role types ("combat", "service", "civil") of legal a classification has been developed;

third, licensing And allow give order, condition organs powers noted;

fourth, a role And ammunition required certification system current was done;

fifthly, and social Danger high was separate weapon types to transaction restrictions established and westernized organizations armament order by appointment was placed;

sixth, foreign diplomatic missions And foreign citizens weapon to transaction due legal rules and also rules And ammunition take put legal Basics noted;

seventh, weapon Job issuer And salesman items activity legal to was set.

During the period under review, in order to ensure the implementation of this Law, 6 regulatory legal acts were adopted that regulate relations related to the list of legal entities with special official functions, having the right to store and use service weapons and ammunition for them, the procedure for licensing and issuing permits, certification of weapons, and the voluntary surrender of weapons²³.

²¹Decree of the President of the Republic of Uzbekistan dated June 2, 2000 No. PF-2612 "On measures to implement liberalization programs and deepen reforms in the political, economic and spiritual spheres of society, ensuring country security"; Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated December 25, 2008 No. 278 "On approval of the Work Plan of the Government of the Republic of Uzbekistan on draft laws for 2009"; Orders of the Cabinet of Ministers of the Republic of Uzbekistan dated January 5, 2012 and April 1, 2013 No. 12/13-81; Resolution of the President of the Republic of Uzbekistan dated May 1, 2017 No. PP-2940; Resolution of the Prime Minister of the Republic of Uzbekistan and the State Advisor to the President of the Republic of Uzbekistan dated May 12, 2017 No. 01/1-936.

²²Law of the Republic of Uzbekistan "On Weapons" No. ZURQ-550 dated July 29, 2019, National Database of Legislative Information, February 7, 2024, No. 03/24/905/0106.

²³1. In accordance with Article 7 (Service Weapons) of the Law "On Weapons" Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On approval of regulatory legal acts in the field of circulation of weapons and ammunition intended for use by legal entities and officials of state bodies with special official functions" dated December 28, 2019 No. 1048;

2. In accordance with Article 32 of the Law "On Weapons", the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On approval of the Regulation on the procedure for licensing activities for the production, repair and sale of civilian and service weapons and cartridges for them" No. 138 dated 11.03.2020, National Database of Legislative Documents, 02.05.2023, No. 23.09.175/0239, as well as the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On amendments and additions to certain decisions of the Government of the Republic of Uzbekistan" No. 67 dated 07.02.2025, National Database of Legislative Documents, 15.02.2025, No. 25.09.67/0145 were declared invalid, and all the provisions contained therein were replaced by the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On The procedure for licensing certain types of activities through a special electronic system "On approval of the Unified Regulation on the procedure for licensing types of weapons", approved by Resolution No. 80 of February 21, 2022 (National Legislation Database, 04/10/2025, No. 09/25/211/0323) to the Regulation (On licensing activities for the production, repair and sale of civilian and service weapons and ammunition for them passport) was handed over.

During the development of the law, in accordance with the Resolution of the President of the Republic of Uzbekistan of 2019,²⁴ from March 1, 2019, the functions of state control over the circulation of civilian and service weapons and ammunition for them were transferred from the internal affairs bodies to the National Guard of the Republic of Uzbekistan. However, the practice of assigning these powers to two independent structures led to the emergence of the following systemic problems in the sphere of weapons circulation:

Firstly, the unified system of control over the circulation of weapons, the organization and coordination of measures to prevent and suppress illegal activities in this area has disappeared;

secondly, the current mechanism for the acceptance, storage, accounting, destruction and sale of confiscated, voluntarily surrendered and discovered weapons and ammunition has been disrupted;

Thirdly, legal entities engaged in trade in firearms and ammunition were forced to contact two authorities at once, namely the National Guard on issues of firearms and ammunition,²⁵ as well as the internal affairs agencies on issues of import, acquisition, storage and transportation of cartridges and caps intended for hunting, in accordance with the Resolution of the Cabinet of Ministers of 2004²⁶ and Appendix 65 to the Regulation approved by Resolution No. 86 of 2022²⁷.

3. In accordance with Article 32 of the Law "On Weapons", previously adopted by the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On additional measures to improve the procedure for issuing permits in the field of weapons circulation" No. 810 dated 26.12.2020 (National Database of Legislative Documents, 15.02.2025, No. 25/09/67/0145), and in accordance with the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On Amendments and Additions to Certain Decisions of the Government of the Republic of Uzbekistan" No. 67 dated 07.02.2025 (National Database of Legislative Documents, 15.02.2025, No. 25/09/67/0145), the norms on the circulation of weapons and ammunition for them are recognized as having lost force, and all the norms contained in them are replaced by the Resolution of the Cabinet of Ministers The Republic of Uzbekistan "On the special electronic system "On approval of the Unified Regulation on the procedure for issuing certain permit documents through the system", approved by Resolution No. 86 dated February 22, 2022 (National Legislation Database, 10.04.2025, No. 25.09.211/0323), Appendix 46 (Permit passport for legal entities for the acquisition, sale, storage, transportation, collection, exhibition, import into the territory of the Republic of Uzbekistan and export from the territory of the Republic of Uzbekistan, transit passage through the territory of the Republic of Uzbekistan) and Appendix 47 (Permit passport for individuals for the acquisition, sale, storage, transportation, collection, exhibition, import into the territory of the Republic of Uzbekistan and export from the territory of the Republic of Uzbekistan, transit passage through the territory of the Republic of Uzbekistan) were transferred to the Regulation.

4. In accordance with Article 38 of the Law "On Weapons", the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On approval of certain regulatory legal acts in the field of civilian weapons and service weapons" dated July 28, 2020 No. 455, National Database of Legislative Documents, July 12, 2024, No. 24.09.371/0499;

5. In accordance with Article 21 of the Law "On Weapons", Resolution of the Cabinet of Ministers of July 25, 2023 No. 310khd fu "On approval of the Regulation on the procedure for the voluntary surrender of unregistered firearms and ammunition for them, explosive materials and explosive devices to the internal affairs agencies and on the procedure for encouraging the surrender of firearms and ammunition for them."

²⁴Resolution of the President of the Republic of Uzbekistan dated January 29, 2019 "On additional measures for organizing security, control and permitting activities in the Republic of Uzbekistan".

²⁵Law of the Republic of Uzbekistan "On Weapons" No. ZURQ-550 dated July 29, 2019, Article 11 (*National Database of Legislative Documents, dated July 29, 2019, No. 03/19/550/3484*) National Database of Legislative Documents, dated February 7, 2024, No. 03/24/905/0106.

²⁶Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On measures to improve the procedure for import, transportation, storage and use of explosive substances and explosive devices in the Republic of Uzbekistan" No. 213 dated 06.05.2004, National Database of Legislative Information, 02.11.2022, No. 09/22/630/0980 .

²⁷"On approval of the Regulation on the procedure for passing licensing procedures in the field of subsoil use, hazardous work, production and circulation of hazardous goods and substances, explosive materials and other areas" Resolution of the Cabinet of Ministers of the Republic of Uzbekistan, No. 360 dated 06.06.2017, Appendix 15 to the Regulation, National Legislation Database, 15.02.2025, No. 09/25/67/0145 . Appendix 15 to the Regulation approved by this Resolution shall be repealed in accordance with the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On Amendments and Additions to Certain Resolutions of the Government of the Republic of Uzbekistan" dated 07.02.2025 No. 67 (National Legislation Database, 15.02.2025, No. 25.09.67/0145) , and all provisions contained therein shall be replaced by Appendix 65 to the Regulation (Permits for the Import, Acquisition, Storage, and

The analysis shows that the adoption of the Law "On Weapons" made it possible to regulate the circulation of weapons and ammunition on a single legal basis. However, the transfer of powers from the Internal Affairs Directorate to the National Guard gave rise to systemic problems in this area. In order to eliminate them, by a separate Decree of the President of the Republic of Uzbekistan dated April 8, 2020, these powers were returned to the Ministry of Internal Affairs. This necessitated a revision of regulatory legal acts and improvement of weapons circulation, and in 2022 a corresponding law was adopted²⁸ establishing a number of norms aimed at ensuring the safe handling of weapons and strengthening state control.

Firstly, the functions of control over civilian and service weapons were transferred from the National Guard to the internal affairs agencies.

Secondly, the types of actions and activities carried out on the basis of licenses and permits include the main parts of firearms, other non-firearms and ammunition for them, for the illegal handling of which criminal and administrative liability measures have been established²⁹.

Thirdly, a procedure for medical examination of weapon owners and their relatives has been established, and lists of diseases or physical disabilities that prevent the ownership of weapons have been approved³⁰.

Fourthly, 6 laws of the Republic of Uzbekistan³¹ have been brought into line with the Law "On Weapons".

Fifthly, The minimum age for owning a hunting weapon has been increased from 21 to 25 years³².

Transportation of Explosive Materials by Road and Rail), approved by the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On Approval of the Unified Regulation on the Procedure for Issuing Certain Documents of a Permit Nature Through a Special Electronic System" dated February 22, 2022 No. 86 (National Legislation Database, 10.04.2025, No. 25.09.211.0323), passport) was handed over.

²⁸Law of the Republic of Uzbekistan "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan in Connection with the Improvement of Legislation on Weapons", No. ZURQ-772 dated 05/31/2022, National Database of Legislative Information, 06/01/2022, No. 22.03.772/0460.

²⁹Amendments and additions have been made to Articles 185, 220, 220¹, 221 of the Code of Administrative Liability and Articles 247, 248, 249 of the Criminal Code, establishing administrative and criminal liability for illegal handling of bladed weapons and main parts of firearms or violation of the rules for handling weapons. In particular, taking into account the experience of Russia, Estonia, Lithuania, Latvia, Moldova, Belarus, Ukraine, Armenia, Azerbaijan, Georgia, Kyrgyzstan and Kazakhstan, the Code of the Republic of Uzbekistan on Administrative Liability has been supplemented with a new Article 2201 (Illegal Handling of Weapons), which provides for liability for illegal handling of pneumatic, signal, throwing weapons and self-defense weapons.

³⁰The Law "On Weapons" has been supplemented with two new separate articles 13.1 and 13.2 on the procedure for conducting inspections and two appendices on lists of diseases or physical disabilities (types of diseases and disabilities for service weapons (89) and for civilian weapons (77)).

³¹1) Law of the Republic of Uzbekistan "On the Prosecutor's Office" No. 746-XII dated 09.12.1992, Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 1999, No. 9, Art. 229; 2) Law of the Republic of Uzbekistan "On Urban Passenger Transport" No. 419-I dated 25.04.1997, National Legislation Database, 01.06.2022, No. 03/22/772/0460; 3) Law of the Republic of Uzbekistan "On the Protection and Use of Wildlife" No. 545-I dated 26.12.1997, Collection of Legislation of the Republic of Uzbekistan, 2014, No. 36, Art. 452; 4) The Law of the Republic of Uzbekistan "On Crime Prevention" No. ZUR-371 dated 14.05.2014, National Legislation Database, 12.04.2023, No. 23.03.829/0208; 5) The Law of the Republic of Uzbekistan "On Internal Affairs Bodies" No. ZUR-407 dated 16.09.2016, National Legislation Database, 12.02.2024, No. 24.03.1008/0988; 6) The Law of the Republic of Uzbekistan "On Weapons" No. ZUR-550 dated 29.07.2019, National Legislation Database, 02.07.2024, No. 24.03.905/0106.

³²When studying foreign experience on this issue, it was found that in Kazakhstan, Belarus, Turkmenistan, Norway, Canada, Hungary, Switzerland, Finland, Latvia, Austria and the USA (except for short-barreled weapons) the age is set at 18 years, in Kyrgyzstan - at 20 years, in Russia, Germany, Moldova, France, the Philippines, Argentina, the Czech Republic - at 21 years, in Lithuania - at 23 years, in Brazil and Guatemala - at 25 years. Also, when establishing the minimum age for owning a hunting weapon at 25 years, it was taken into account that a person's psychoneurological characteristics, mental stability and independent worldview are directly related to his age.

Sixth, the minimum period of ownership of a smooth-bore semi-automatic shotgun capable of continuous fire is set at 10 years ³³.

Seventh, the circulation of pakhtavan weapons, training weapons and large-caliber weapons that can be returned to combat position is prohibited.

Eighth, the possession of all types of pneumatic weapons is limited only by permit and the total number for citizens is no more than 3 units, and the capacity of magazines for hunting weapons is reduced from 10 units to 5 units.

Ninth, the list of circumstances that prevent the possession of civilian weapons has been supplemented by a list of serious and especially serious intentional crimes, and those convicted of these crimes are prohibited from owning civilian weapons for ten years after the conviction has been expunged or removed or the amnesty act has been applied ³⁴.

In accordance with the law, a mechanism for immediate confiscation of weapons has been introduced in the presence of unofficial information incriminating the owner of the weapon or the person who has expressed a desire to own it, as well as close relatives living with him. Although this approach has not received wide distribution in foreign practice, it helps to strengthen the legal impact on illegal arms trafficking.

It should be emphasized that this law is aimed exclusively at regulating legal relations related to the circulation of civilian and service weapons.

CONCLUSION

Based on the results of the study, the following author's definition of the concept of the *"weapons problem"* was developed:

"The arms trade is something "a system of legal relations regulated by legislative acts that arise in the process of production, repair, storage, transportation, shipment, carrying, use, sale, transfer, accounting, destruction, import into the territory of the country and export from its territory of weapons, ammunition and the main parts of firearms, as well as their collection, display and transit ."

This definition covers all types of activities related to weapons and allows us to distinguish between legal and illegal forms of illegal trafficking. Effective legal regulation and state control over weapons trafficking will certainly help reduce the level of illegal weapons trafficking.

It is worth noting that in practice there are cases when even legally sold weapons are used as a tool to escape control and commit crimes. This indicates the need to review the control mechanisms in the area of illegal arms trafficking.

³³The norms establishing these requirements are not specified in the Laws of foreign states "On weapons". This norm was introduced into the National Law taking into account the level of danger of weapons of this category for others and the fact that possession of a smooth-bore semi-automatic hunting rifle, the design of which allows for up to 10 shots without reloading, requires certain skills, hunting experience and responsibility. Crimes committed in various countries as a result of mass shootings with the use of weapons, in particular automatic or semi-automatic hunting rifles, for example, in the city of Kerch in Crimea in 2019, in the US state of Colorado in 2021, as well as in the cities of Kazan and Perm in Russia, require the establishment of special requirements for the control of weapons of this category.

³⁴In this regard, foreign experience shows: in Germany - those sentenced to imprisonment for a term of up to 1 year for a deliberate crime and various criminal offences, if 10 years have not passed from the date of entry into force of the court sentence; in Moldova - those sentenced to imprisonment for a term of over 1 year for a deliberate crime; in Kyrgyzstan - convicted; in Turkmenistan - those convicted of a deliberate crime; in Russia - those whose conviction for a deliberate crime has not been expunged or the conviction has not been removed, as well as those who committed a serious or especially serious crime with the use of a weapon, regardless of whether the conviction has been expunged or removed; in Latvia - those for whom 3 years have not passed from the date of expungement or removal of the conviction; In Canada, it is proposed to apply it to those convicted of violent or drug-related crimes, or for a number of serious and especially serious crimes, regardless of whether their conviction has been expunged or removed.

Research shows that there are two scientific approaches to legal relations related to illegal arms trafficking. Some researchers distinguish ³⁵these actions (*manufacturing, storage, carrying, transportation, delivery, sale, etc.*) as an independent crime and emphasize their direction against public safety. Another group of scientists emphasizes that illegal arms trafficking should be considered only as a consequence of committing crimes against the person, property, public order and other crimes using weapons ³⁶.

These scientific approaches have important theoretical and practical significance for understanding legal relations in the sphere of arms turnover and determining the legal grounds for liability. Based on this, it is possible to make a scientific conclusion that illegal arms and ammunition turnover can manifest itself in the use of such acts as violation of the procedure established by law or failure to comply with it, as a separate criminal offense, as well as a means of committing serious crimes.

This situation arises due to insufficient state control over the circulation of weapons, as a result of which weapons end up in criminal circulation and create a serious threat to security.

This is why it is necessary to improve the provisions of the Law on Weapons that regulate the circulation of weapons and regulatory legal documents related to other areas ³⁷, eliminate existing legal gaps, and adopt clear and reliable legal norms based on comprehensive and logical approaches.

³⁵ V.G. Shumykhin in the staff of "Qualification of provocations of individual crimes" examines issues related to the illegal circulation of weapons. V.N. Kudashov in the publication "On the issue of the crime provided for in Part 1 of Article 222 of the Criminal Code of the Russian Federation" analyzes crimes related to the illegal circulation of weapons. D.M. Kokin in his work "On the improvement of criminal law norms establishing liability for the non-mercenary circulation of weapons" discusses issues related to the illegal circulation of weapons and the corresponding criminal law norms. S.A. Nevsky in Trode "The Fight against Illegal Arms Trafficking" describes in detail the problems associated with illegal trafficking and measures to combat it.

³⁶ V.N. In his works on the general theory of crime, Kudryavtsev examines the cause-and-effect relationships between various crimes, including crimes against the individual and illegal arms trafficking. I.I. Gilinsky In his research on criminology and social factors of crime, he examines how illegal arms trafficking may be linked to violent crime. V.V. Lopatkin and his works on criminal law and criminology analyze illegal arms trafficking in the context of organized crime, extortion and armed conflict. YES. In his criminological research, Shestakov emphasizes the role of illegal arms trafficking in the commission of violent crimes such as murders and robberies. S.V. Borodin examines the criminal nature of the illegal circulation of weapons in connection with violent crimes, including robbery and extortion.

³⁷ 1) Appendix 1, paragraph 40 and Appendix 2, paragraph 92 to the Law of the Republic of Uzbekistan "On Licensing, Permitting and Notification Procedures" No. ZUR-701 dated 14.07.2021, National Legislation Database, 26.03.2025, No. 25.03.1050/0276; Appendix 34 to the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On approval of the Unified Regulation on the procedure for licensing certain types of activities through a special electronic system" No. 80 dated 21.02.2022 "Passport of the license for the production, repair and sale of civilian and service weapons and cartridges for them" Electronic source: <https://lex.uz/docs/5870213#6997825>; 2) Appendix 46 to the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On approval of the Unified Regulation on the procedure for issuing certain permit documents through a special electronic system" "Passport of permission for legal entities to purchase, sell, store, carry, transport, collect, display, import into the territory of the Republic of Uzbekistan, export from the territory of the Republic of Uzbekistan and transit through the territory of the Republic of Uzbekistan" and Appendix 47 "Passport of permission for individuals to purchase, sell, store, carry, transport, collect, display, import into the territory of the Republic of Uzbekistan, export from the territory of the Republic of Uzbekistan and transit through the territory of the Republic of Uzbekistan" dated 02.22.2022 No. 86, Electronic source: <https://lex.uz/docs/5871129>.

Failure to comply with the rules of arms circulation is an administrative offence³⁸ or entails criminal liability, and their³⁹ qualification is carried out on the basis of mandatory expert opinions. Expertise is of decisive importance for establishing the fact of illegal storage, distribution, storage or other circumstances of illegal possession of weapons⁴⁰.

The study shows that there are the following discrepancies between the concept of “weapons trafficking” provided for in Article 3 of the Law “On Weapons” and the regulations providing for administrative and criminal liability for violating the prohibitions and restrictions established during its implementation:

First, although Article 220 of the Code of Administrative Responsibility defines “the transfer, acceptance and sale of weapons, ammunition and main parts of firearms” as an administrative offence, and Article 248 of the Criminal Code defines “illegal storage and transfer of weapons, ammunition and main parts of firearms” as a crime, the Law “On Weapons” does not classify these actions as weapons trafficking;

secondly, although the concept of “illegal arms trafficking”, as defined in Article 3 of the Law “On Arms”, includes actions to “seize and destroy weapons, ammunition and main parts of firearms”, administrative or criminal liability for violating the prohibitions and restrictions established by law on these actions is not provided;

thirdly, although the concept of “illegal arms trafficking”, as defined in Article 3 of the Law “On Arms”, includes actions related to “the sale, registration, collection and exhibition of firearms, ammunition and main parts of firearms”, Article 248 of the Criminal Code does not provide for criminal liability for the specified acts for violating the prohibitions and restrictions established by law;

In order to prevent the aforementioned contradictions in legislation from causing certain problems and misunderstandings in law enforcement practice, it is advisable to clearly define each act related to weapons, ammunition and the main parts of firearms as an administrative offence or a separate element of a crime and to provide for liability for them in the relevant provisions of the Code of Administrative Responsibility and the Criminal Code.

Based on the above analysis, it is advisable to give the following author's definition of the concept of "illegal arms trafficking", which is committed in connection with the violation (non-compliance) with prohibitions and restrictions established by law on the circulation of weapons, ammunition and the main parts of firearms: ***"Illegal arms trafficking is the production, repair, sale, acquisition, transfer, acceptance, sale, accounting, a set of criminal, antisocial or socially dangerous actions, including the processes of storage, transportation, transport, collection, display, use, seizure, destruction, transfer, as well as import, export or transit into the territory of the country."***

This concept fully covers acts that are the basis for liability under criminal and administrative law. This allows law enforcement agencies to objectively assess the actions of the guilty parties and determine the appropriate type of liability.

At the same time, as practice shows, effective interaction between government agencies, the organization of control and exchange of information, the identification of the causes and conditions of violations and their elimination are of particular importance in the fight against illegal arms trafficking.

³⁸It is provided for in Articles 185, 220, 220¹ and 221 of the Code of the Republic of Uzbekistan on Administrative Responsibility and covers cases of non-compliance with the rules for the use and shooting of weapons, storage, transportation, acquisition, sale of weapons and ammunition on the basis of a permit, circulation of service and civilian weapons, as well as pneumatic weapons and self-defense weapons, the procedure for extending the validity of licenses and permits.

³⁹Introduced by Articles 246-249 of the Criminal Code of the Republic of Uzbekistan, it covers cases of grave consequences, including death, arising from the illegal storage, transfer, production, storage, transportation, use and storage of weapons, ammunition and their main parts, as well as violations of the rules for storing weapons.

⁴⁰Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan “On judicial practice in cases of illegal possession of weapons” No. 3 of 27.02.1996, paragraph 4. Electronic source: <https://www.lex.uz/docs/1441585?ONDATE=20.11.2023%2000#edi6688992>.

international cooperation in this area, in particular, the adoption of interstate agreements with CIS countries and neighboring states, coordinating the arms trade, ensuring the exchange of information, and also implementing control and legal measures on a uniform basis.

As S.M. Inshakov emphasized, for effective control over arms turnover it is necessary to form a single electronic database with the participation of not only partner countries, but also states with different geopolitical interests. It should contain forensic descriptions of the weapons being sought, expert opinions, as well as information about persons associated with these weapons.⁴¹

Such an electronic database will ensure prompt control over the circulation of weapons, facilitating the identification and elimination of sources of illegal circulation. Timely registration of each case of theft or loss of weapons is crucial for the prevention of crimes.

The interaction of internal affairs agencies with other law enforcement agencies plays a decisive role in this, and the existing experience confirms its effectiveness. For example, as a result of the interaction between the Ministry of Internal Affairs and the State Security Service, special preventive measures "Arsenal" and "Kuroi" are effectively implemented. During the measures taken in 2024, 133,548 cases of violation of the legislation on the circulation of personal weapons were prevented, 4,649 weapons were temporarily seized, and 9,548 citizens were brought to administrative responsibility. In addition, 2,951 weapons and 11,430 ammunition were seized from illegal circulation, and 322 citizens were brought to criminal responsibility. The most important thing is the voluntary surrender of 1,714 weapons and 5,893 ammunition by the population.

It should be noted that the activities carried out in the field of combating illegal arms trafficking demonstrate the need for further improvement of interaction between law enforcement agencies, systematic application of criminal law and preventive measures aimed at preventing illegal arms trafficking and crimes committed with their use.

In conclusion, it should be noted that the current legislation provides certain results in the fight against illegal arms trafficking, but cannot be considered a universal solution. In order to eliminate problems in this area, improve legal mechanisms and ensure the security of the state and society, the ongoing task remains the consistent improvement of the regulatory framework, the transformation of legal relations related to illegal arms trafficking into a holistic and effective system, a clear definition of legal norms, strengthening the interaction of authorized bodies and strengthening control.

⁴¹ CM. Inshakov Foreign Criminology. - M., 2007. - P. 245-247. Electronic resource: <https://moluch.ru/archive/224/52720/>