



CHARACTERISTICS OF THE CONDEMNATION OF COERCIVE ACTIONS DIRECTED TOWARDS MINORS

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Abstract: This article thoroughly describes the concept, nature, and types of coercive measures, such as: apology, payment of damages caused by one's own funds or labor, elimination, and placement in a special educational institution. It also discusses the role of exemption from responsibility or punishment in the case of coercive measures against minors in the criminal punishment system, as well as the existence of grounds for its use.

Key words: punishment system, criminal punishment, coercive measures, juvenile delinquency, upbringing, legality.

Ensuring the protection of minors' rights, freedoms, and legal interests while establishing the necessary framework for their eventual adulthood is a primary goal of state policy. For this reason, in the sphere of justice, measures that do not adversely affect a minor's physical or spiritual development are considered in lieu of the primary forms of punishment when bringing them up to date with their criminal history.

Everyone is aware that the primary goals of using coercive measures to free minors who have committed crimes from criminal liability and punishment are to prevent future crimes and to rehabilitate the offending minor without severing their ties to society.

The first part of Article 87 of the current Criminal Code states that a minor who has committed a crime of low social risk for the first time is exempt from liability or punishment if coercive measures are used. If, however, it is determined that the case can be released from responsibility and submitted to the commission for children's issues after considering the circumstances of the act, the identity of the guilty party, and other relevant factors, without imposing punishment on him, the crime may be rectified.

As stated in the Supreme Court of the Republic of Uzbekistan Plenum decision No. 21 "On judicial practice in cases of juvenile crimes"; in the event that a minor who has committed a low-risk crime for the first time is found to be capable of correction without punishment, the court may terminate the case at the hearing stage and the minor may decide to forward it to the commission for review [1] based on the nature of the offense, the identity of the offender, and other relevant circumstances.





According to the second part of Article 87 of the Criminal Code of the Republic of Uzbekistan, a minor who has committed a low-risk crime for the first time or repeatedly for a period of time that is punishable by imprisonment for a maximum of five years must be considered by the court when determining whether to apply coercive measures against the offender or to exempt him from punishment if the characteristics of the crime, considering the personality of the perpetrator and other circumstances of the case, indicate that the offense can be corrected even without the need for punishment. Moreover, the Plenum of the Supreme Court of the Republic of Uzbekistan provides an explanation for its rulings, which include the release of a minor from punishment on the grounds outlined in the second part of Article 87 of the Criminal Code and the application of coercive measures against him without the imposition of a punishment [2].

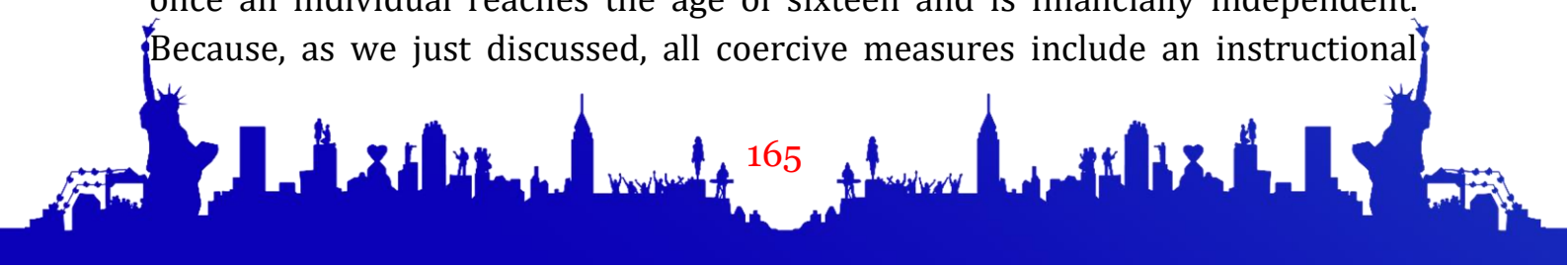
By finding a person guilty but not imposing a punishment in the sentence, the court can exempt a minor from punishment. The court applies only one type of enforcement measure, depending on the circumstances of the case and the minor's identity, and one of the coercive measures of an educational nature allowed by Article 88 of the Criminal Code. potentially Judiciary practice in this area is consistent when the list of potential coercive measures that can be used against children is determined by the legislation [3,B-740].

The following coercive measures may be used against minors in accordance with Article 88 of the Criminal Code: a) require them to apologize to the victim in a format decided by the court; b) require an adult who has reached the age of sixteen to pay for or repair the damage with their own money or labor; and c) place them in a special education program.

The most severe form of coercion is the coercive measure, which calls for the minor to apologize to the victim in a way that the court determines. It entails the minor admitting guilt for his actions, expressing regret for the harm he caused, and pleading with the victim for forgiveness. The minor expresses verbal or written, public or private regret to the victim. The location, timing, and sequence of the apology are set by the court. Additionally, a suitable document is drafted on the implementation of a coercive measure that requires an apology [4].

b) require an individual who has turned sixteen to repair or remove the harm using his own resources or work.

This standard makes it clear that this coercive tactic can only be utilized once an individual reaches the age of sixteen and is financially independent. Because, as we just discussed, all coercive measures include an instructional





component, and any kid who violates the law ought to feel that what they are doing is wrong in the real world.

b) enrolling a minor in a special education program.

Since this form of coercion is thought to be the most severe, a court may only use it to institutionalize a person under the age of eighteen if all other avenues of education are exhausted. Because of this, strong coercive actions against children are only permissible in certain situations, such as when the law's softer forms of influence for those under the age of eighteen prove to be ineffectual.

To sum up, it should be underlined that criminal liability for minors subject to compulsory measures is crucial to releasing them from punishment and re-educating young people who have entered the criminal justice system without severing their ties to their families and communities or failing to apply compulsory measures to them in accordance with the law.

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