



A NEW APPROACH TO PREVENTING VICTIMOLOGICAL FRAUD IS RELEVANT

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In recent years, our country has placed special emphasis on strengthening property protection while bolstering the legal underpinnings of the economic framework. To this end, a series of targeted measures have been executed, resulting in a significant enhancement of this domain. Systematic efforts are now underway to amplify the efficacy of fraud prevention, as well as addressing crimes like theft, robbery, and intrusion, all the while advancing victimological prevention.¹

Of recent criminal activities, instances of fraud continue to hold considerable prominence. Despite ongoing analysis and public discourse on crime prevention and the conditions facilitating it, cases of people deceiving others and stealing their belongings still persist.

Statistical data analysis reveals a noteworthy trend: whereas fraud accounted for 1.6% of the total crimes in 2004, it has risen to 10-15% of the total crimes over the past 5 years.

In the period of January-July 2019, the country registered 1,954 fraud cases, which escalated to 3,881 for the same period in 2020. In 2020, the courts deliberated on 4,328 criminal cases related to fraud, involving 5,466 individuals. In the first quarter of 2021, this figure surged to 12,855 criminal cases involving 15,662 individuals. Such growth trajectory necessitates the implementation of contemporary strategies to combat fraud.²

The analysis reveals the significance of victimization prevention in the early detection of fraud. Specifically, when about 50 percent effectiveness is achieved through victim-oriented prevention in certain crime types, victim-oriented fraud prevention, as presented in this study, achieves effectiveness of 72 percent.

Scientist N. A. Tsyrcun has pointed out that the mechanism behind every second or third crime is linked to the personality and behavior of the victim. Notably, this holds true for every third case of rape, 2 out of every 5 motor vehicle-related crimes, and 8 out of 10 fraudulent crimes, where the role of the

¹ Fraud and theft are two crimes aimed at the same goal (in Uzbek). <https://darakchi.uz/uz/87237>.

² Don't fall victim to theft and fraud (in Uzbek). <https://iiv.uz/oz/news/ogrilik-va-firibgarlik-jinoyatining-jabrlanuvchisiga-aylanib-qolmang>





victim's personality and behavior is evident.³ For instance, a resident named N.J. from Nukus in the Republic of Karakalpakstan filed a complaint. She indicated that she had shared her bank card number and phone numbers in the "Help to the Needy" group on the Telegram messenger, seeking assistance for her grandson's operation. Subsequently, an unidentified individual contacted N.J., gaining her trust by promising to send a substantial amount of money. Later, this person received an SMS sent to phone number and misappropriated a total of 6,300,000 UZS. In response to this incident, N.J. approached law enforcement agencies, urging them to take action against the unknown perpetrator.⁴ In this case, the victim's gullibility was the reason they became a target of fraud.

It should be noted that while analysing the materials of criminal cases related to fraud, the individual characteristics of victims (extreme gullibility) often facilitated the commission of this crime. When analysing the conditions enabling fraudulent crimes, 71.4 percent of cases involved victims' excessive gullibility, 16.3 percent were due to victims attempting to achieve their goals illegally, and 6.9 percent were attributed to victims' legal ignorance, creating conditions for these crimes to occur.⁵

A study conducted by some lawyers found that only 25 percent of victims resisted perpetrators, while three-quarters of victims acted passively. They also focused on the victims' behavior after the crime was committed, based on their victim status. In many cases, they noted issues related to victims failing to report the crimes to relevant authorities, thereby creating favorable conditions for the criminals to continue their illegal activities. Additionally, they highlighted the importance of understanding the true reasons behind victims' decisions not to report the crimes.⁶ When asked why the respondents didn't immediately report being victims of fraud to the relevant authorities, the questionnaire revealed the following information: 11.9 percent of respondents were always convinced by the criminals, 4.6 percent were personally interested, 6.1 percent approached scammers voluntarily, 6.4 percent were swayed by their conscience, 6.2 percent sought solutions to their problems, 2.3 percent were threatened by scammers

³Tsyркun N. A. Socio-psychological prevention of victimization in the sphere of family and domestic relations // Initiative "Human Rights Defenders Against Torture" [Electronic resource]. Access Mode: URL: <http://protivpytok.org/prevention-of-victimization.html> (date of access: October 7, 2019).

⁴ The money collected for the surgery was embezzled by the fraudster (in Uzbek) // <https://iiv.uz/oz/news/operatsiya-uchun-yigilgan-pullar-firibgar-tomonidan-ozlashtirildi>

⁵Information of the Center for Scientific and Applied Research of the Ministry of Internal Affairs of the Republic of Uzbekistan

⁶Criminology. General part: Textbook (in Uzbek) / Ismailov I., Abdurasulova K.R. and etc. – Tashkent.: Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan, 2015. – 179 pages.





with loss of money if they reported the incident, and 67.9 percent cited other reasons.

Similar situations are observed in developed countries around the world. Hence, the global community acknowledges the importance of implementing victimological prevention measures.

In our country, significant attention is given to developing modern methods for organizing victimological prevention to safeguard people from fraud, alongside the implementation of novel mechanisms for preventive actions to protect the rights, freedoms, and legitimate interests of fraud victims. Consequently, the establishment and execution of cooperative measures between government bodies and public organizations are becoming increasingly crucial. This entails scientific and practical research directed at enhancing citizens' engagement and broadly promoting methods and forms of protection against fraudulent attacks among the population.

Based on the aforementioned analysis and considering the present practical circumstances, it can be inferred that the development and implementation of new mechanisms for victimological fraud prevention is imperative. This entails, in particular, the following measures:

- Identify the root causes of fraud victimization and maintain ongoing analysis and monitoring of the conditions that facilitate their occurrence. Implement preventive measures to eliminate these conditions, drawing from the experience in Belarus.

- Implement measures aimed at identifying individuals who are most vulnerable to fraud victimization and those who have already fallen victim to it. This approach should constitute the fundamental and prioritized aspect of victimological prevention by law enforcement agencies.

- Enhance the individualized engagement system with citizens (the "Fuqarobay" system), aimed at providing employment opportunities for individuals at a high risk of becoming fraud victims. Consider the prevailing unemployment rate in the country while assessing the underlying reasons and living conditions of victims of fraudulent crimes.⁷

- Disseminate comprehensive information about each case of citizen victimization due to fraud. Post information regarding prudent behavior, healthy lifestyles, legal awareness, and fostering immunity to all forms of crime in public spaces, organization premises, state media, and on the Internet via the global computer network. Utilize official crime prevention websites for distribution.

⁷ Don't fall victim to theft and fraud (in Uzbek). // <https://iiv.uz/oz/news/ogrilik-va-firibgarlik-jinoyatining-jabrlanuvchisiga-aylanib-qolmang>





- Conduct scientific and other research concerning victimological prevention of fraudulent crimes. This should encompass the situation of citizens who have experienced such crimes, including their nature, scope, growth, and trends.

- Organize internal research initiatives focusing on victimological prevention of fraudulent crimes. Develop a typology of victims based on in-depth examination of victim descriptions.

- Create and execute a "Roadmap" for victimological prevention of fraudulent crimes, tailored to specific industries. This roadmap should pinpoint individuals and sectors most susceptible to fraud risks.

- Formulate a draft law titled "On Compensation for Victims of Crime" that regulates the protection of rights and freedoms for fraud victims, including compensation for incurred damages. Refer to the experiences of Germany, England, the USA, and Kazakhstan.

- Incorporate a "Victimology" course in educational institutions to prevent citizens, particularly young people, from falling victim to fraud. Draw insights from the experiences in Germany, England, and the USA.

- Develop and implement state, regional, and sectoral programs for victimological prevention of fraudulent crimes, inspired by the experiences in Germany, England, and the USA.

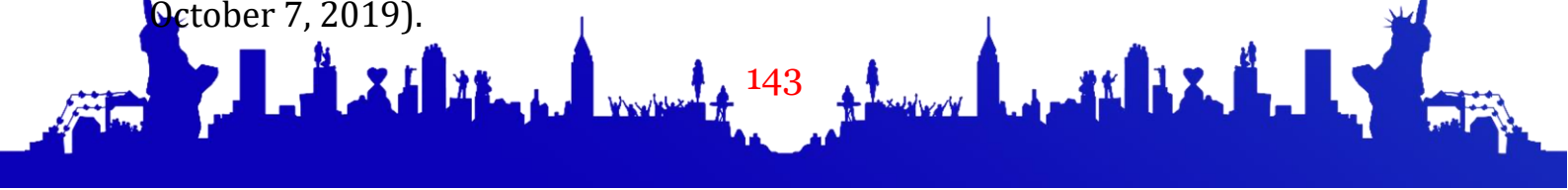
- Establish a research institute (under the Ministry of Justice, the General Prosecutor's Office, the Ministry of Internal Affairs, or the National Guard) equipped with specialized psychological laboratories. This institute should provide a platform for educational and preventive efforts, focusing on the study of victim personalities and behaviors, inflicted damages, and the dynamics between fraudsters and victims. Refer to the models employed in Japan and France.

References:

1. Fraud and theft are two crimes aimed at the same goal (in Uzbek). <https://darakchi.uz/uz/87237>.

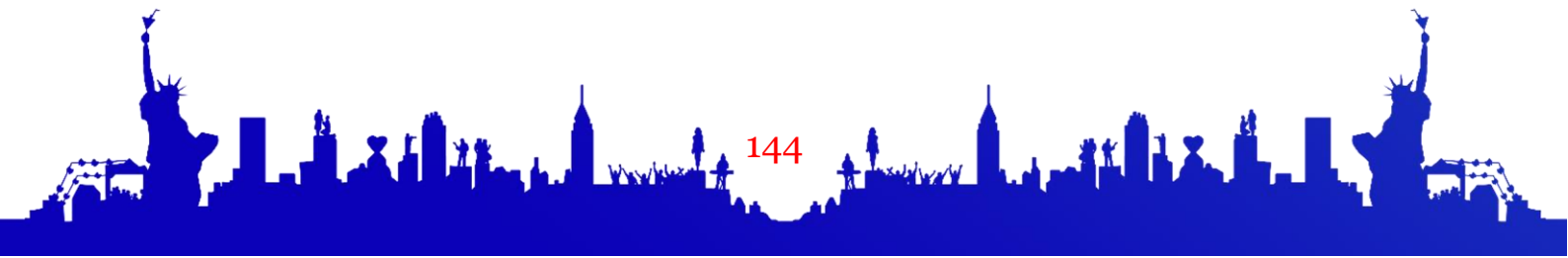
2. Don't fall victim to theft and fraud (in Uzbek). <https://iiv.uz/oz/news/ogrilik-va-firibgarlik-jinoyatining-jabrlanuvchsigaylanib-qolmang>

3. Tsyркun N. A. Socio-psychological prevention of victimization in the sphere of family and domestic relations // Initiative "Human Rights Defenders Against Torture" [Electronic resource]. Access Mode: URL: <http://protivpytok.org/prevention-of-victimization.html> (date of access: October 7, 2019).





4. The money collected for the surgery was embezzled by the fraudster (in Uzbek) //<https://iiv.uz/oz/news/operatsiya-uchun-yigilgan-pullar-firibgar-tomonidan-ozlashtirildi>
5. Information of the Center for Scientific and Applied Research of the Ministry of Internal Affairs of the Republic of Uzbekistan
6. Criminology. General part: Textbook (in Uzbek) / Ismailov I., Abdurasulova K.R. and etc. – Tashkent.: Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan, 2015. – 179 pages.
7. Don't fall victim to theft and fraud (in Uzbek). //<https://iiv.uz/oz/news/ogrilik-va-firibgarlik-jinoyatining-jabrlanuvchisiga-aylanib-qolmang>
8. Охунов З., Қушбоқов Ш. Талабалар томонидан содир этиладиган ҳуқуқбузарликларни олдини олишга оид айрим мулоҳазалар //Евразийский журнал права, финансов и прикладных наук. – 2022. – Т. 2. – №. 11. – С. 34-39.
9. Алтмишев Т., Қушбоқов Ш. Жазони ижро этиш муассасаларида маҳкумларнинг сайловга оид ҳуқуқларини таъминлаш //Евразийский журнал права, финансов и прикладных наук. – 2023. – Т. 3. – №. Special Issue. – С. 112-114.
10. Зиёдуллаев М., Абдуллаев Ф. Ички ишлар органлари томонидан қўлланиладиган маъмурий чеклаш чоралари тушунчаси, моҳияти ва турларига оид айрим мулоҳазалар //Development of pedagogical technologies in modern sciences. – 2022. – Т. 1. – №. 2. – С. 9-15.
11. Абдуллаев Ф., Муродов Н. Фуқаролик жамияти институтларининг жамиятда тутган ўрни //Наука и инновация. – 2023. – Т. 1. – №. 7. – С. 98-101.
12. Халилов Д. А. Зиёдуллаев Музаффар Зиёдуллаевич, Абдуллаев Файзулла Абдикодир ўғли.(2022). Ички ишлар ишлар органлари маъмурий чеклаш чораларини қўлловчи субъект сифатида. development of pedagogical technologies in modern sciences, 1 (2), 16–18. <https://doi.org/10.5281/z> //Development of pedagogical technologies in modern sciences. – 2022. – Т. 1. – №. 2. – С. 19-22.
13. Абдуллаев Ф., Сафиддинов А. Умрбод озодликдан маҳрум қилиш тариқасидаги жазо тушунчаси ва унинг моҳияти //Наука и технология в современном мире. – 2022. – Т. 1. – №. 7. – С. 263-272.





14. Зиёдуллаев М., Абдуллаев Ф. Ички ишлар ишлар органлари маъмурий чеклаш чораларини қўлловчи субъект сифатида //Development of pedagogical technologies in modern sciences. – 2022. – Т. 1. – №. 2. – С. 16-18.
15. Хўжаярова Н., Насиллоев А. Перспективы оказания государственных услуг в сфере миграционного регулирования гражданства республики узбекистан //International Bulletin of Applied Science and Technology. – 2023. – Т. 3. – №. 5. – С. 1343-1344.
16. Kizi K. N. N., Ogli N. A. A. Some issues regarding the provision of public services in the field of migration and citizenship regulation in uzbekistan //International Journal Of Law And Criminology. – 2023. – Т. 3. – №. 04. – С. 44-47.
17. Худайбердиев А., Искандаров Ю. Жамоат жойларида содир этиладиган безорилик ҳуқуқбузарликларининг криминологик тавсифи //Development of pedagogical technologies in modern sciences. – 2022. – Т. 1. – №. 6. – С. 33-37.
18. Мирзараимов С. Безорилик ҳаракатларига ҳуқуқий баҳо беришнинг айрим жиҳатлари //Евразийский журнал академических исследований. – 2023. – Т. 3. – №. 2. – С. 41-48.
19. Худайбердиев А., Искандаров Ю. Жамоат жойларида содир этиладиган ҳуқуқбузарликларининг маъмурий-ҳуқуқий тавсифи //Инновационные исследования в науке. – 2022. – Т. 1. – №. 16. – С. 16-21.
20. Худайбердиев А., Исроилов О. Ички ишлар органлари томонидан оммавий тадбирларни ўтказишда жамоат тартибини таъминлашнинг зарурати //Центральноазиатский журнал образования и инноваций. – 2023. – Т. 2. – №. 3. – С. 74-83.
21. Худайбердиев А., Тўраев Ш. Жамоат жойларида содир этиладиган ҳуқуқбузарлик учун маъмурий жавобгарликнинг мазмун-моҳияти //Центральноазиатский журнал образования и инноваций. – 2023. – Т. 2. – №. 2 Part 2. – С. 61-69.
22. Худайбердиев А., Шукуров Ў. Жамоат тартибини сақлаш ва фуқаролар хавфсизлигини таъминлашда ички ишлар органларининг моддий-техник базасини мустаҳкамлаш фаолиятининг хусусиятлари //Development of pedagogical technologies in modern sciences. – 2023. – Т. 2. – №. 2. – С. 110-118.

