



DIFFERENT ASPECTS OF THE CRIME OF VIOLATION OF THE LEGISLATION ON PERSONAL DATA (ARTICLE 141'2) FROM THE CRIMES PROVIDED FOR IN ARTICLES 141'1, 141'3, 143 OF THE CRIMINAL CODE OF THE REPUBLIC OF UZBEKISTAN. OBJECTIVE AND SUBJECTIVE SIGNS.

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Article history:	Abstract:
Received: April 6 th 2023 Accepted: May 6 th 2023 Published: May 8 th 2023	This article examines the different aspects and objective aspects of crimes related to personal information, disclosure of information that undermines a person's dignity and value, violation of the order in which he or she is kept secret to telephone conversations and emails

Keywords: Personal information, personal secret, secret of telephone conversation and correspondence, privacy insecurity, object, objective side, subject, subjective side.

The right of each person to protect his or her personal information is guaranteed. Criminal law establishes criminal liability for a number of socially dangerous acts, such as violating the order in which personal information is used, disclosing information that undermines a person's dignity and value, and disclosing conversations and other messages on the phone. To distinguish personal data from one another, you need to analyze them separately, systematically. These crimes include the following crimes, which are provided for in a special section of the Criminal Code.

Unlawful collection or dissemination of personal life information about a person's personal or family secret without his/her consent (JK 141.1);

Unlawful collection, systematic, storage, modification, filling, using, issuing, distributing, transmitting, disposing of, and destroying personal information, as well as personal information in technical tools and personal information physically located in the territory of the Republic of Uzbekistan when processing personal information of citizens of the Republic of Uzbekistan on the Internet world's

information network failure to comply with the requirements for the collection, systematic and storage of personal information in the databases of the person registered in the state register, after the administrative punishment for those actions is imposed; (JK 141.2);

Distribute information containing naked photos or videos of an individual's body or (or) genital mutilation without his or her consent, including public distribution in the media, telecommunications networks, or the Internet in the world's information network; (JK 141.3);

Intentionally violating the order in which emails, telephone conversations, telegraph messages or other messages are kept secret, occurs after administrative penalties are imposed for such actions. (JK, Volume 143)¹

The subject's personal information includes family, surname, name, year of birth, identification document number, personal identification number (JSHSHIR), taxpayer identification number (STIR), residence address, email address, phone number, family status, workplace, position, as well as other information relating to the entity.²

¹For more information, please contact the Treasurer's Office by writing to the address noted below or by teleappging (718) 560 - 7500.

²Law of the Republic of Uzbekistan "On Personal Information". National Database of Legislative Information, 21.04.2021, 03/21/683/0375-son



Criminal law establishes criminal liability for violating the order in which letters, telephone conversations, telegraph messages or other messages are kept secret, requiring anyone else to transfer property or property rights for fear of disclosing information that must be kept secret, and disclosing investigative or preliminary investigative information without the permission of the investigator, investigator or prosecutor. The Criminal Procedure Code stipulates that a criminal case can be heard in a closed court in order to avoid disclosing information about the privacy of citizens, the inviolability of their accommodation, their correspondence, telegraph communications and telephone conversations with the law, and the information about the privacy of citizens or information that undermines their dignity and dignity.

To assist individuals desiring to benefit the worldwide work of Jehovah's Witnesses through some form of charitable giving, a brochure entitled Charitable Planning to Benefit Kingdom Service Worldwide has been prepared. To assist individuals desiring to benefit the worldwide work of Jehovah's Witnesses through some form of charitable giving, a brochure entitled Charitable Planning to Benefit Kingdom Service Worldwide has been prepared. Article 353 of the Code regulates the obligation not to disclose the information in the criminal case and obliges those involved in investigations or those who are present in the investigation or who are familiar with the investigative materials not to disclose the information contained in the case.³

The Law "On Personal Information" has been adopted in the Republic of Uzbekistan, establishes the level of protection of personal data, depending on the confidentiality and protection of personal information, threats to the safety of this information when processing personal information, their specified level of protection when processing personal data Establishes government guarantee of the requirements, guarantees that only with the written consent of the subject can information about the person be disclosed, such as his surname, name, patronymic, year and place of birth, address, subscriber number, profession.

Violation of privacy (JK141.1) is the unlawful collection and dissemination of information that is considered a personal and family secret without the consent of the information holder. When it comes to the unlawful collection and dissemination of information about a person's privacy, it is understood to collect and disseminate information in a unique order and style

from the order referred to in the Constitution of the Republic of Uzbekistan, "On Personal Information," and "On the Principles and Guarantees of Freedom of Information." Article 13 of the Freedom of Information Act provides protection from unlawful spiritual influence in the media, personal information relating to individuals is included in the confidential information category, information relating to a physical person's privacy without the consent of an individual, as well as secrets relating to his or her personal life information contained in it is not allowed to be collected, stored, processed, distributed and used, except as specified in the law. ⁴

The object of this crime is an individual's information security, the insecurity of privacy, considered to be one of the constitutional and legal freedoms of citizens, and the right to keep personal and family information secret.

Objectively, it is the disclosure of privacy insecurity information. Since a crime is a formally composed crime, a criminal consequence does not affect the qualifications of a crime, but it can be described as aggravating liability. The causal link between the end and the act is an additional element of the objective side. The timing, location, method, conditions, techniques, weapons, and work of the objective side are among the mysteries of the faculty of the crime.

The commission of this crime by a physical person under the age of 16 in a mental state can be a subject of a crime, bringing liability.

On the subjective side, a crime is intentional. The motive and purpose of the crime will not affect the qualifications of the act, taking into account the aggravation and relief of responsibility.

Violation of the law on personal data (JK 141.2) is a deliberate violation of the procedures laid down in the Constitution of the Republic of Uzbekistan and the law of the Republic of Uzbekistan "On Personal Information". In the essence of these procedures, everyone has the right to freedom and personal privacy, the insecurity of everyone's privacy, the right to privacy and family secrets, the right to defend their dignity and dignity, to ensure that everyone's correspondence, telephone conversations, mail, e-mails and other messages are kept secret, and that everyone has the right to protect personal information, is also characterized by the right to demand the correctness of misinformation, the destruction of information

³ Criminal Procedure Code. United Nations High Commissioner for Refugees, National Database of Legislative Information. 11.05.2023, 03/23/841/0270-son)

⁴ Law No. 439-II of 12.12.2002 "On the Principles and Guarantees of Freedom of Information". For more information, please contact the Treasurer's Office by writing to the address noted address noted below or by teleppgging 750 - 7500.



collected by law or without legal grounds about itself.⁵ Law No. 547 "On Personal Information" was adopted in the Republic of Uzbekistan on July 2, 2019, guaranteeing the legality of the purposes and methods of processing personal data, the accuracy and reliability of information, the confidentiality and protection of data. Defines competent authorities in the field, identifies their tasks and functions, determines the order in which data is processed and protected. It strengthens that those guilty of violating the law on personal information be held accountable. Violations of this law are the basis for those who have committed crimes for the first time to be held accountable under Article 46.2 of the Code of Administrative Responsibility.

For more information, please contact the Treasurer's Office by writing to the address noted above or by telephoning (718) 560 - 7500. In its dispensation, the objective side of the crime was determined by the necessary elements, the punishment used for socially dangerous acts in the sanction section.

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The object of this crime is constitutional rights and freedom to personal information. The crime will be completed when legal rights and interests ensified in the Constitution and the Personal Information Act are undermined. Object is the goal of a criminal act. The purpose of the crime is to violate the right to information about this person and is the object of this crime.

A crime of violating the law on personal data is a formally composed crime, and the completion of a crime does not prohibit the occurrence of criminal consequences. That is, whether a criminal or not, the crime is complete. The occurrence of an act of violating the law on personal information is considered an objective aspect of a crime. To assist individuals desiring to benefit the worldwide work of Jehovah's Witnesses through some form of charitable giving, a brochure entitled Charitable Planning to Benefit Kingdom Service Worldwide has been prepared. Unless otherwise indicated, Scripture quotations are from the new world translation of the Holy Scriptures., published by Jehovah's Witnesses. Since this crime is considered a formal crime, the causal link between criminal consequences and actions and consequences is not considered an essential element of the objective side. (Matthew 24:14; 28:19, 20) Jehovah's Witnesses would be pleased to support more than the body. For example, his reputation was damaged when information about the person was disclosed. Reputation damage is a consequence, and reputation is damaged by disclosure of the same information is a causal link.

The importance of the method, time, location, weapon, tool, and characters of a crime serves as the faculty of the objective side.

The subject of the crime is mentally raso individuals who are 16 years old until they commit a crime. That is, in order to criminalize a person, he must have been at least sixteen years old and had committed a criminal act in a state of intelligence. Criminal law does not specify a special entity in the implementation of violations of the law on personal information. Individuals under the age of 16 who are mentally responsible may be convicted of crimes.

The subjective aspect of the criminal content of violating the law regarding personal information covers the attitude of a criminal to his or her actions. That is, he does not regret it or does not regret it. As you know, the subjective side of the crime represents forms of guilt. This crime is intentional. As a result of recklessness, a crime of violating the law on personal information cannot be committed.

The occurrence of this crime by a group of individuals, repeated or dangerous retsivist, is aggravating liability if committed with outrageous and other low intentions, using the position of service, with dire consequences.

Unless otherwise indicated, Scripture quotations are from the modern-day New World Translation of the Holy Scriptures., published by Jehovah's Witnesses. That is, information that allows you to identify any person is personal information. If the unlawful collection, distribution, systematization, storage, and disclosure of such information constitute a crime referred to in Article 141.2 of the Criminal Code, there is information that the disclosure of them represents the crime referred to in Article 141.3 of the Criminal Code. Such information includes information that undermines an individual's dignity and dignity and reflects the secrets of a person's life, especially a naked photo or (or) video of an individual's body or (or) genitals. Disclosure of information at the same time causes discrediting the person. Distribution without the consent of the victim party is a necessary element to assess as a crime. Intimidation with the dissemination of such information creates the same liability. In addition, signs of fraud referred to in Article 167 of the Criminal Code may arise if property interest is required to be intimidated by distribution.

Article 31 of the Constitution of the Republic of Uzbekistan stipulates that everyone has the right to protect personal information, as well as the right to correct incorrect information, to demand the destruction of information collected in an unlawful way or without legal grounds.

⁵ Constitution of the Republic of Uzbekistan. Office of the High Commissioner for Human Rights. National

Legislative Database, 01.05.2023, 03/23/837/0241-son)



Unlike the crime referred to in Article 141.3 of the Criminal Code, the crime is completed by disclosing, distributing, and publicizing information. Article 141.2 of the Criminal Code provides for all the actions referred to in the law on personal information.

The components of this crime are:

Object is the insecurity, reputation, secret information and legitimate rights and interests of a person targeted by criminal aggression.

Objective side - to commit an act related to the dissemination and dissemination of information referred to in the dispensation of a special part of the Criminal Code. By distributing a picture in a naked state, the objective side is performed. Article 21 stipulates that everyone has the right to seek, receive, and distribute any information, but that a person must not undermine the rights, freedoms, and legitimate interests of others, society, and the state in exercising his or her rights and freedoms. The crime of disclosing information that undermines the dignity and value of the person referred to in Article 141.3 of the Criminal Code is considered a formally composed crime and a crime has been committed regardless of the consequences. For example, behind the posting of a naked image on the Internet, blocked by portal admins, users did not get such information. In this case, the crime is considered to have been completed. Additional elements of the objective side are the time, location, method, conditions, and so on.

An entity is a wise raso, a 16-year-old person, who has spread or threatened to distribute the above-mentioned information.

The only deliberate and reckless committing of this crime is a violation of the order in which the person referred to in Article 141.2 of the Criminal Code violates the order in which he or she is used. That is, it is also possible to disclose information behind recklessness. The fact that a person who commits a crime regrets what he has done is one of the necessary elements of the subjective side.

Responsibility for this act was determined by the Act No. 829 of April 11, 2023 "On amendments and amendments to certain laws and regulations of the Republic of Uzbekistan as a result of further improvement of the system of reliable protection of the rights, freedoms and legitimate interests of women and children."

Criminal records referred to in Article 143 of the Criminal Code, telephone conversations, telegraph messages, or other messages shall result in criminal liability only if they occur after administrative penalties are imposed.

Article 31 of the Constitution of the Republic of Uzbekistan states that everyone has the right to keep their correspondence, telephone conversations, mail, e-mails, and other messages secret. The restriction of this right is strengthened only in accordance with the law and in accordance with the court's decision.

In 1992, the Communications Act was adopted in the Republic of Uzbekistan, regulating relationships in the field, regulating the relationships that arise in the context of letter correspondence, telephone conversation telegraph messages, or other messages. Liaison officers who have opened and otherwise violated correspondence will be prosecuted administratively and criminally, except as provided for by the legislation of the Republic of Uzbekistan.⁶ Unless otherwise indicated, Scripture quotations are from the modern-day New World Translation of the Holy Scriptures., published by Jehovah's Witnesses. In accordance with the criminal procedure law, evidence can be collected by hearing conversations conducted through phones and other speaking devices. Overlooking and withdrawing postal-telegraph shipments is carried out in accordance with Articles 167-169-170 of the Criminal Procedure Code.

Violations of the aforementioned procedures result in criminal liability if they occur after administrative punishment is imposed.

There is no liability for the socially dangerous act referred to in Article 143 of the Criminal Code, and there are no circumstances that aggravate the punishment, nor are there any sanctioned measures that restrict or deprive constitutional rights and freedoms related to the restriction of liberty or deprivation of liberty for the act.

The object of the crime is the right of citizens to keep secret letters in the category of constitutional rights freedoms, telephone conversations, telegraph messages, and other messages.

The objective aspect of the crime is to commit a socially dangerous act that is considered to be a violation of the order in which the above-mentioned messages are kept secret. The consequences resulting from the act and the causal link between them are additional signs of the objective side. Because this socially dangerous act referred to in Article 143 of the Criminal Code is a formally composed crime that fully constitutes the contents of the crime, regardless of whether it is to cause negative consequences. Objectively, the nature of the words of criminals on the mail-telegraph messages or phones is reflected in the dissemination of information without the consent of the information holder, or through letters, telegrams, telecommunications, e-mails, and so on. Unless otherwise indicated, Scripture quotations are from the modern-day New World Translation of the Holy

⁶ Law No. 512-XII of January 13, 1992. United Nations High Commissioner for Refugees, National Database

of Legislative Information, 21.04.2021, 03/21/683/0375-son



Scriptures., published by Jehovah's Witnesses. If this crime is committed by officials, there may also be signs of wrongdoing referred to in Articles 205-206 of the Criminal Code.

The method, time, location, weaponry, and technique of committing a crime are faculty additional symptoms of the objective side of the crime.

The subject of the crime is a natural person under the age of 16 until the mindful raso commits a crime. A person's mental incompleteness, or the occurrence of this socially dangerous act before the age of 16, excludes criminal liability.

The subjective aspect is the forms of guilt. It is known that criminal charges are of two types. Determination or recklessness. This criminal act may be intentional, and legal literature stipulates that only intentional committing of this crime will not affect the motive for the crime and the purpose of its qualifications. However, at the time of the punishment, the motive and purpose will be taken into account.⁷

Generally speaking, when it comes to violating the law on personal information, it involves acting in a manner other than the one referred to in the law and not complying with the requirements of the law. If the information contains a personal and family secret, it must be qualified under Article 141.1 of the Criminal Code. If this information contains information that may discredit an individual and encompasses photos and videotapes of the body and genitals of the individual, it must be qualified under Section 141.2 of the Criminal Code. In case of violation of the order of conscience in telephone conversations and letter messages, an act referred to in Article 143 of the Criminal Code should be assessed as committed.

Unless otherwise indicated, Scripture quotations are from the modern-day New World Translation of the Holy Scriptures., published by Jehovah's Witnesses.

A common feature of these aforementioned crimes is that the crime is committed in the context of personal information on the constitutional rights and freedoms of citizens.

AVAILABLE PUBLICATIONS:

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2. For more information, please contact the Treasurer's Office by writing to the address noted below or by teleappging(718) 560 - 7500.

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4. Criminal Procedure Code. United Nations High Commissioner for Refugees (UNHCR) and the National Database of Legislative Information. 11.05.2023-y., 03/23/841/0270-son);
5. Code of the Republic of Uzbekistan on Administrative Responsibility. For more information, please contact the Treasurer's Office by writing to the address noted below or by teleappging 7500.
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⁷ Rustamobaev M.X. Criminal Law. Lesson. Ministry of Justice of the Republic of Uzbekistan. T.: Justice, 2007. 169-bet