



LEGAL BASIS OF SETTING UP CUSTOMS WORK IN UZBEKISTAN

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Annotation:

This article highlights the consistent reforms carried out in the organization of customs in the Republic of Uzbekistan over the years of independence.

Keywords: Republic of Uzbekistan, customs authorities, goods, customs, border troops, prosecutor's office, defense, court, national security, national guard.

During the years of independence in Uzbekistan, consistent reforms were carried out regarding the establishment of customs work. Customs bodies began to form as an independent structure during this period. In particular, the activities of forming the legal framework of the industry were also carried out during this period. For example, in September 1991, under the Ministry of Internal Affairs, the "Inspection on prevention of illegal export of goods from the territory of the Republic of Uzbekistan" was established. Due to the fact that the legal foundations of law-enforcement agencies were not yet fully formed in the Republic, i.e., the regulations on Customs, Border Guards, Prosecutor's Office, Defense, Court, National Security, and National Guard were not adopted, so these tasks were temporarily assigned to internal affairs agencies. In particular, the strengthening and protection of the borders of the republic was entrusted to the internal affairs bodies, about 30 border posts were placed every 200 kilometers, and three internal affairs officers were recruited to serve at each post. In the first years of independence, the situation in all the republics of the former Union was difficult, especially the growing shortage of food, and the need to prevent the export of necessary consumer goods demanded special attention in the customs sector. By the Decree of the President of the Republic of Uzbekistan dated October 25, 1991 "On the establishment of the Customs Committee of the Republic of Uzbekistan" No. PF-284, the first Customs Committee of the Republic of Uzbekistan was established. The decision of the Cabinet of Ministers of the Republic of Uzbekistan dated October 26, 1991 No. 272 "About the organization of the customs service in the Republic and its activities" approved the customs services and their structure in the Republic.

Erkin Muyassarovich Joraev was appointed the first chairman of the Customs Committee. In accordance with the Decree of the President of the Republic of Uzbekistan No. PF-451 of August 10, 1992, the General Directorate of the State





Inspectorate, which controls the removal of goods and material assets under the Ministry of Internal Affairs of the Republic of Uzbekistan, was merged and the State Customs Committee was established.

On July 8, 1992, the Republic of Uzbekistan became a member of the international Convention "On the establishment of the Customs Cooperation Council". For the purpose of strengthening the material and technical base of the customs service, for the purpose of fulfilling social programs, goods and material assets that have been reasonably and legally confiscated are sold in full and appropriate payments are made to the budget, 20 percent of the proceeds, as well as unplanned income received in the form of customs fees and customs duties in transactions not related to trade. A special fund of the State Customs Committee was established at the expense of On March 5, 1992, the "Dostlik" customs complex building was commissioned in Andijan region. Strict measures were taken by the customs service officials in connection with the establishment of posts in regions bordering neighboring republics of Uzbekistan. In particular, roundabouts in Fergana, Andarkhan and Sukh bordering the neighboring Republics of Tajikistan and Kyrgyzstan were put under strict control. Efforts were made in cooperation with local administrations to make the roundabouts and country roads impassable for motor vehicles.

In the first years of independence, the inexperience of Uzbekistan's customs officials and difficulties in the service process, as well as the unfavorable (unstable) situation in the countries bordering our republic, increased the number of criminal groups that forced them to engage in the illegal circulation of narcotics in order to get a large income. But thanks to the efforts and dedication of the customs officials, in 1992, it was possible to seize 13 tons, 55 kg, and 450 g of narcotic substances, a quantity never recorded in the history of any country. On October 8 of this year, about 30 tons of cargo will enter the city of Termiz in transit from Afghanistan. When the cargo was checked, it was found that there were boxes containing raisins, and these boxes were. It is planned to reach CIS countries, Belgium, USA, Canada. When the customs officials inspected the cargo, they found narcotic hashish placed in the form of bricks among the boxes of raisins, and 13 tons of 50 kilograms of hashish were found in a total of 1305 boxes. On the basis of Article 69 of the Criminal Code (smuggling), a criminal case was opened and sent to the State Department for investigation.

On March 1, 1993, on the basis of the decision No. 111 of the Cabinet of Ministers of the Republic of Uzbekistan "On some issues of the State Customs Committee of the Republic of Uzbekistan", temporary Regulations on granting special titles to the heads of the State Customs Committee were approved. Also, an initial educational institution for the training of customs personnel - Training Center was established.





In the following years, efforts were made to create a legal framework for the customs sector. For example, by the Decree of the President of the Republic of Uzbekistan No. PF-744 dated January 18, 1994, the State Tax Committee was established, and the State Customs Committee was transformed into the General Customs Department and included in it. According to the decision of the Cabinet of Ministers of the Republic of Uzbekistan No. 114 of March 4, 1994 "On the establishment of the State Tax Committee of the Republic of Uzbekistan and its activities", the main tasks, rights and obligations, structures of the tax and customs bodies were approved.

The State Customs Committee was reorganized by the Decree of the President of the Republic of Uzbekistan dated July 8, 1997 "On the establishment of the State Customs Committee of the Republic of Uzbekistan" No. PF-1815. According to this document, customs authorities were given the status of a law enforcement agency. In this way, the customs legislation was also improved, and the powers of the customs authorities expanded.

The most basic and programmatic document for customs officers is the Customs Code. The first Customs Code of customs bodies was approved on December 26, 1997 at the X session of the Oliy Majlis of the Republic of Uzbekistan and was implemented from March 1, 1998. The Customs Code is the legal basis for the implementation of customs work in the Republic of Uzbekistan. This code defines the customs work and policy, the procedure for transporting and declaring goods and vehicles across the customs border of the Republic of Uzbekistan, the rules for the application of customs regimes, the calculation and collection of customs fees, and responsibility for cases of violation of customs rules.

In 1996, in cooperation with law enforcement agencies, the employees of the State Customs Committee of the Republic of Uzbekistan during the customs inspection of vehicles, cargo and citizens crossing the border of the republic revealed a total of 440 cases of illegal transfer of narcotic drugs and psychotropic substances. Of these, 62 cases were connected to the territory of the Republic of Uzbekistan, 129 cases were connected to the transfer outside the territory of the republic, 106 cases were related to transit within the territory of the republic, and 143 cases were related to the transfer within the territory of the republic.

In the first half of 1997, in cooperation with law enforcement agencies, employees of the State Customs Committee of the Republic of Uzbekistan during the customs inspection of vehicles, goods and citizens crossing the border of the Republic, in total 257 cases, 264 kg. 266 gr. drugs, including 6 kg. 460 gr. "heroin", 208 kg. 364 gr. "opium", 34 kg. 496 gr. "hashish", 2 kg. 526 gr. "poppy" 12 kg. 972 grams of "marihuana" drugs were taken.





A Regional project on increasing the capacity of the main border control points and establishing special border communication departments of the UN Office on Crime was developed. The Republic of Uzbekistan has participated in this project since 2009. As part of the project on illegal circulation at the border control points of Afghanistan, Tajikistan, Kyrgyzstan, Kazakhstan and Turkmenistan, measures were taken to exchange information and modernize the material and technical base of border control points, as well as to strengthen the capacity of personnel by conducting extended training courses. As part of the implementation of the project, modern computer equipment was provided to the customs offices of "Oybek" (Tashkent region), "Sariosiyo" (Surkhondarya region), "Ayritom" (Surkhondarya region), and "Dostlik" (Andijan region). Cross-border cooperation offices were established at customs points. The global program "Control over container traffic - Central Asia and Azerbaijan segment" - GLOG80 of the UN Office on Drugs and Crime and the World Customs Organization has been increased. This program has been implemented since 2004, and Uzbekistan has participated in this program since 2014. Within the framework of the program, information exchange was launched through the protected "ContainerCOMM" channel with the support of the World Customs Organization. Educational seminars were organized as part of the project implementation. So, measures to establish customs work in Uzbekistan began in the first years of independence. The legal basis for the operation of the system was formed step by step. Customs officials together with law enforcement officers were able to intercept a large number of goods and products intended for illegal transportation across the border of Uzbekistan. Especially influential international organizations played a big role in this.

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