

## ON THE SPECIFIC FEATURES OF THE METHODOLOGY OF INVESTIGATING TERRORISM AND CRIMES OF EXTREME ORIENTATION

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**Annotation.** This article examines the features of the investigation of terrorism and crimes associated with manifestations of extremism, analyzes the features of the algorithm of actions of the investigator and the operational officer in establishing the circumstances to be proved, and elaborates proposals for improving the functions of law enforcement agencies in the investigation of these types of crimes.

**Key words:** terrorism, extremism, crime investigation, evidence, circumstances to be proved, investigator, operational officer, criminal investigation department.

### ОБ ОСОБЕННОСТЯХ МЕТОДИКИ РАССЛЕДОВАНИЯ ТЕРРОРИЗМА И ПРЕСТУПЛЕНИЙ ЭКСТРЕМИСТСКОЙ НАПРАВЛЕННОСТИ

**Аннотация.** В данной статье рассмотрены особенности расследования терроризма и преступлений, связанных с проявлениями экстремизма, проанализированы особенности алгоритма действий следователя и оперативного сотрудника в установлении обстоятельств подлежащих доказыванию и разработаны предложения по совершенствованию функций правоохранительных органов в расследовании данных видов преступлений.

**Ключевые слова:** терроризм, экстремизм, расследование преступлений, доказательства, обстоятельства подлежащие доказыванию, следователь, оперативный сотрудник, уголовный розыск.  
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The President of the Republic of Uzbekistan, by Decree of July 1, 2021 (УП-6255), approved the National Strategy of Uzbekistan to counter extremism and terrorism for 2021-2026 and the road map for its implementation. It states that «The goal of the strategy is to ensure an effective and coordinated state policy to counter extremism and terrorism, which allows protecting the constitutional order of the Republic of Uzbekistan, ensuring national security, as well as the rights and freedoms of citizens in this area.»

Terrorism and extremist crimes is an illegal complex structure that includes a peculiar ideology of international terrorist, national terrorist, religious extremist organizations and the mechanism of their socially dangerous activities aimed at achieving political, ideological, economic and religious goals by violent, criminal means .

The strategy notes that the experience of Uzbekistan in countering extremism and terrorism, as well as an analysis of the situation in the field of combating these threats in the states of the region, show that terrorist and extremist activities in Central Asia are carried out mainly under the guise of nationalist, social, religious and other radical political ideas.

Terrorism and extremist crimes are part of violent crime, and the level of their disclosure and investigation is an indicator of the effectiveness of the efforts of society and the state. These crimes are among those types of criminal violence, the victim of which can be anyone, even those who are not related to the conflict that gave rise to them. For terrorist and extremist criminal activities, their expendable human potential is always used [1, p. 5.]. Hence the extreme vulnerability of a person and the need for state law enforcement agencies to protect them from the criminal encroachments of terrorism and criminal extremism.

These socially dangerous actions lead to unjustified human casualties, destroy material and spiritual values, provoke mistrust and hatred between social and national groups. Therefore, the main task of law enforcement agencies of the state is the rapid and high-quality investigation of terrorism and extremist crimes. At the same time, the organization of the investigation of crimes in this category is largely determined by the current investigative situation. If there is information about the creation and activities of a terrorist or extremist formation, then at the initial stage of the actions of law enforcement agencies, the emphasis should be placed on the activities of the

investigative-operational group. It is she who will allow to carry out the whole complex of necessary investigative and operational-search actions to obtain the necessary evidence base.

When receiving information about an act of terrorism or extremism, the peculiarities of organizing and planning an investigation are due to the fact that, the consequences of such an act have not yet been eliminated, the risk of recurrence remains. This significantly complicates the work of the investigative team, since even if there is a threat of destruction of traces important for solving and investigating a crime, first of all, measures must be taken to save the victims, eliminate the possibility of recurrence, as well as to eliminate the consequences of terrorist and extremist actions.

An important element in the effectiveness of the investigation of the crimes in question, according to A.S. Mavlyanov, are the international cooperation of states through the mediation of Interpol as an international criminal police. This international organization has the necessary capabilities in organizing assistance to member states, international organizations, their bodies in the fight against terrorism and extremism as varieties of transnational crime [2, p. 116-118.].

For the effective disclosure and investigation of the crimes in question, investigative actions and operational search activities are widely used, which have a feature associated with the specifics of these types of crimes. Legal scholars specializing in research on methods of investigating terrorism and criminal extremism define their content in different ways. So, A.A. Matchanov understands the methodology of their investigation as an algorithm of actions of the investigator closely interacting with the operational units of the criminal investigation department, which carry out targeted operational-search actions and methods of overt and covert nature [3, p.45.].

A.A. Khamdamov and T.R. Saitbaev note that "... the combination of overt and covert methods in the fight against crime in legislative acts was first introduced by Art. 4 of the Law of the Republic of Uzbekistan «On the fight against terrorism» in relation to the activities of law enforcement agencies in the fight against terrorism» [4, p. 42.].

In Uzbekistan, to improve the effectiveness of the fight against terrorism and manifestations of extremism, law enforcement agencies are taking appropriate measures in various areas. The need to improve the efficiency of law enforcement agencies in the disclosure and investigation of these crimes predetermined the adoption on April 24, 2017 of the Decree of the President of the Republic of Uzbekistan on the reorganization of the operational units of the internal affairs bodies into two independent operational-search structures: the Main Directorate of Criminal Investigation and the Main Directorate for Combating Terrorism and Extremism, which are to the Criminal Investigation Department of the Ministry of Internal Affairs of the Republic of Uzbekistan.

Investigation of terrorism and extremist crimes has a certain investigation algorithm related to the circumstances to be proved, which include: who, when and under what circumstances there was a report of a terrorist act or crimes related to extremist activity; who has become a victim of terrorist or extremist actions; who was the object of influence: citizens, representatives of public authorities, other persons; what happened: terrorist or extremist actions, murder with the use of an explosive device, etc., an accident as a result of violation of established rules and requirements, staging, other; what are the main methods of action of criminals; whether the perpetrators did not try to hide, at least temporarily, the preparation for the commission of an act of terrorism, extremism, as well as the actual commission of terrorist acts; what weapons were used to commit an act of terrorism or extremism: were weapons, explosive devices, explosives, fuels and lubricants and similar materials (for arson) used, was transport used (which one, as it turned out to be at the disposal of the criminals, Where was it kept before and after the crime? what are the main goals and motives of criminal acts; what are the consequences of criminal acts; whether harm was caused to the health of the victims (one or more): when, what, in what way, where, by whom; what material damage is caused by the crime; whether the crime entailed other grave consequences, which ones; what was the place where the terrorist acts were carried out; what disappeared from the scene and what appeared there; in what ways the criminals (each of the members of the criminal group) arrived at the scene and left it; what are the time limits for the commission of terrorist actions: when the actions themselves were committed, when the expected consequences occurred; how many people participated in the commission of terrorist or extremist actions; how long each of the perpetrators was at the scene of the incident (before the terrorist acts, during their commission and after); if the crime was committed by a group of persons, was there a preliminary distribution of roles, was it maintained throughout the commission of the entire complex of criminal acts, if it changed, then when, how, in connection with what, on whose initiative, was the group organized, on what territory acted; whether payment for the commission of the crime was received (directly from the customer, through an intermediary); who committed the crime.

Based on the foregoing, it seems possible to formulate the following conclusions and proposals related to the features of improving the investigation of terrorism and extremism:

1. It is necessary to develop a unified definition of the concept of terrorism and extremism with legal features that would not allow manipulating this concept and arbitrarily using it when describing certain phenomena of reality.

2. For a deeper and more comprehensive study of terrorism and extremism, it is necessary to develop a private methodology for investigating terrorism and extremism.

3. The complexity of developing a methodology for investigating terrorism and extremism is due to its originality, specificity, variety of types and forms. In this regard, it is necessary to develop a methodology for investigating certain types of terrorist and extremist activities.

4. The main characteristic features of terrorist and extremist formations are: their organizational integrity, unity of members; hierarchy; specific psychological and ideological climate within the formation; the presence of a special security system; ability to regenerate; limited role awareness of participants.

5. The specificity of the methods and means of investigating terrorism and extremism is determined by the existence of a conspiracy of terrorist and extremist formations and connections between their individual members, careful preparation of criminal acts and concealment of their traces, audacity, cruelty, sophistication, the speed of committing the crime itself.

6. For the success of the investigation, it is important to widely and skillfully use forensic and other special equipment and relevant skills. It is necessary to use information and reference records, automated information retrieval systems and the accumulated array of electronic information about persons and organizations suspected.

7. The methodology for investigating these types of crimes must always be offensive, i.e. it is necessary to develop such a system of investigative actions and operational search activities that would ensure the strategic and tactical superiority of law enforcement agencies and anticipate possible measures to counter the investigation.

8. The methodology used by the investigator must be creatively linked to typical investigative situations typical for the investigation of terrorism and manifestations of extremism. This approach will provide the prospect of investigating not only typical, but also atypical investigative situations. The emergence of the latter is possible in connection with the retaliatory actions of criminal communities to counter the investigation.

9. Introduction and use of the latest information and communication technologies in solving these crimes, searching for hiding religious extremists and terrorists through the Internet or other international information network;

10. Creation of an international system of information interaction between various law enforcement agencies, including international organizations, based on innovative technologies through the creation of an appropriate unified data bank on crimes related to manifestations of religious extremism and terrorism and their perpetrators;

11. Improving the organizational, coordinating principles of interaction between law enforcement agencies and the NCB Interpol of the Ministry of Internal Affairs of the Republic of Uzbekistan in the fight against terrorism and extremism.

Thus, the peculiarities of the investigation of terrorism and manifestations of extremism should be taken into account by investigators and employees of the criminal investigation department, know the algorithm for establishing the circumstances to be proved, which ultimately will serve to optimize the fight against terrorism and manifestations of extremism.

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