

**ENSURING THE INEVITABILITY OF LIABILITY FOR CRIMES RELATED TO
ARTIFICIAL INTELLIGENCE IN THE REPUBLIC OF UZBEKISTAN**

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Abstract. This article analyzes the principle of the inevitability of liability in the context of crimes involving artificial intelligence (AI). The author examines the essence of this principle and demonstrates the obstacles that AI technologies pose to its implementation: the difficulty of identifying perpetrators, anonymity, transnationality, and challenges in evidence collection. The study proposes legal, procedural, and institutional directions for ensuring the inevitability of liability in the Republic of Uzbekistan. As a conclusion, it substantiates the necessity of comprehensively developing substantive law, criminal procedural mechanisms, and technical capacity to ensure inevitability.

Keywords: inevitability of liability, artificial intelligence, criminal law, inevitability of punishment, digital evidence, identification of perpetrators, criminal procedural law, Uzbekistan.

One of the most important principles of criminal law is the principle of the inevitability of liability. Its essence lies in the requirement that every committed crime must inevitably be detected, solved, and the guilty person held justly accountable before the law. According to a well-known legal axiom, it is not the severity of punishment but its inevitability that more effectively deters criminals. It is precisely this principle that forms the foundation for preventing crime, strengthening trust in the law, and ensuring justice.

The widespread introduction of artificial intelligence technologies poses a serious challenge to the implementation of this principle. In harmful acts committed with the assistance of AI, or arising from its autonomous activity, identifying the perpetrator, proving the causal connection, and collecting evidence are considerably more complex than in conventional crimes. Anonymity, the transnational nature of actions, and the technological "black box" effect increase the likelihood of an offender escaping liability. This places the principle of inevitability at risk.

As the Republic of Uzbekistan consistently develops digital progress and artificial intelligence technologies, ensuring the inevitability of liability for crimes associated with these technologies becomes an urgent task. The purpose of this article is to analyze the principle of inevitability of liability in the context of AI, to identify the obstacles in ensuring it, and to substantiate practical directions for the national legal system.

The principle of the inevitability of liability is recognized as one of the fundamental ideas of criminal law and criminal procedural law. It is based on the principles of justice and legality: if a crime has been committed, the state assumes the obligation to solve it and bring the perpetrator to accountability. This principle encompasses two aspects — on the one hand, the solving of every crime; on the other hand, the application of legally prescribed measures against the perpetrator.

The principle of inevitability serves not only the purpose of punishment but also a deterrent function. If a potential offender feels that their actions will inevitably be exposed and that accountability is inevitable, they are deterred from committing a crime. Conversely, the existence of the possibility of escaping liability — that is, a state of impunity — is one of the most dangerous factors inciting new crimes. For this reason, ensuring inevitability is considered the central element of any effective anti-crime policy.

Ensuring this principle in practice requires several conditions: the ability to promptly detect crimes, reliable identification of the perpetrator, collection of sufficient and evidentially valid proof, and the existence of effective jurisdictional mechanisms. In crimes related to artificial intelligence, each of these conditions is subjected to serious challenge.

Artificial intelligence technologies create a number of objective obstacles to the implementation of the principle of the inevitability of liability. Understanding these obstacles is a necessary prerequisite for developing measures to overcome them.

First obstacle — difficulty of identifying the perpetrator. Artificial intelligence weakens the direct connection between human intent and a criminal outcome. When a system makes independent decisions, or when it has been created by multiple persons, determining to which of them — the creator, operator, or user — liability belongs becomes complex. The chain of causation breaks, and liability becomes diffuse.

Second obstacle — anonymity and identity concealment. AI tools, including voice and image falsification technologies (deepfakes), allow criminals to conceal their identity and cover their tracks. This significantly complicates the process of attributing — that is, linking — the crime to a specific person.

Third obstacle — transnationality and jurisdictional problems. Crimes committed via AI often simultaneously involve the territory of several states: the criminal may be in one country, the server in another, and the victim in a third state. In this situation, determining which state's jurisdiction applies and how international cooperation is organized becomes a decisive condition for ensuring inevitability.

Fourth obstacle — complexity of collecting digital evidence. The "black box" nature of AI systems makes it difficult to explain their decision-making logic. Digital traces disappear quickly and can be altered or completely concealed. Collecting, preserving, and reliably presenting such evidence in court proceedings requires specialized technical knowledge and tools.

Ensuring the inevitability of liability for AI-related crimes requires a comprehensive approach. In the conditions of the Republic of Uzbekistan, it is appropriate to address this task simultaneously at the levels of substantive law, criminal procedural law, and institutional capacity.

In the substantive law direction, it is first necessary to develop norms that clearly define the grounds for liability for crimes related to artificial intelligence. Liability must always remain with human subjects — the creator, operator, or user — and their obligations of care and supervision must be clearly established in legislation or sectoral documents. Such clarity prevents the diffusion of liability and the possibility for a perpetrator to exploit gaps in the law to escape accountability.

In the criminal procedural direction, improving the procedures for collecting, recording, and evaluating digital evidence in court is of primary importance. Mechanisms for promptly securing digital traces, rules ensuring the evidentiary weight of electronic evidence, and provisions for specialized investigative actions must be established. Moreover, given the transnational nature of crimes, active use of international legal assistance and international cooperation mechanisms against cybercrime is necessary.

In the institutional direction, it is necessary to improve the digital literacy of law enforcement personnel, train specialized experts in artificial intelligence and digital forensics, and create the relevant technical infrastructure. If the technical capacity to identify perpetrators

and collect evidence is insufficient, no legal norm can ensure inevitability in practice. Therefore, legal and technical measures must be developed in a coordinated manner.

The pursuit of ensuring the inevitability of liability must not overshadow other important principles of criminal law — the principles of personal guilt and justice. Unjustifiably expanding liability or holding persons without real guilt accountable in the name of ensuring inevitability contradicts the essence of criminal law. For example, severely punishing a creator for an unforeseeable consequence leads to injustice and stifles innovation.

For this reason, ensuring inevitability must be balanced against the requirement not to hold an innocent person liable. The correct balance consists in the fact that the truly guilty party who committed the crime cannot escape liability, while at the same time a person without guilt is not unjustifiably punished. It is precisely this balance that forms the core of a just and effective criminal policy.

Conclusion

The principle of the inevitability of liability does not lose its significance in the age of artificial intelligence; on the contrary, ensuring it becomes an even more complex and pressing task. The conducted analysis shows that AI technologies create serious obstacles in the areas of identifying perpetrators, anonymity, transnationality, and collecting digital evidence, thereby increasing the likelihood of an offender escaping liability.

Resolving this problem in the Republic of Uzbekistan requires a comprehensive approach: clearly defining the grounds for liability and the obligations of human subjects in substantive law, improving the mechanisms for working with digital evidence in criminal procedural law, and at the institutional level, strengthening the technical capacity of law enforcement bodies. At the same time, the pursuit of inevitability must be maintained in balance with the principles of personal guilt and justice.

As a final conclusion, it can be stated that ensuring the inevitability of liability is a matter not only of punishing criminals, but also of strengthening public trust in the law and ensuring justice in the digital environment. Only through the harmonious development of legal, procedural, and technical measures can this fundamental principle be realized in practice in the age of artificial intelligence.

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