

**INTERNATIONAL EXPERIENCE IN COMBATING CRIMES DANGEROUS TO
LIFE AND HEALTH AND PROPOSALS FOR UZBEKISTAN**

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Abstract: This study undertakes a comparative legal analysis of the legislative and institutional mechanisms employed by leading jurisdictions — including the United States, Germany, the United Kingdom, Singapore, and Japan — to prevent and combat crimes endangering human life and health. Drawing on international conventions, model criminal codes, and empirical crime statistics from 2019–2024, the study identifies best practices in criminalization, sentencing policy, victim protection, and rehabilitative justice. Based on this analysis, the author formulates nine concrete legislative and institutional reform proposals for Uzbekistan, consistent with the country's ongoing criminal justice reform agenda and its binding international treaty obligations.

Keywords: Crimes against life and health; comparative criminal law; Uzbekistan criminal code reform; international criminal justice; victim protection; victimology; restorative justice; sentencing reform.

Crimes against life and health constitute the most serious category of criminal offenses in every legal system, representing a direct assault on the most fundamental of all human rights — the right to life and the right to physical integrity. Despite substantial advances in criminal law scholarship and significant improvements in policing and prosecution over the past three decades, these offenses continue to present formidable challenges to governments worldwide.

According to the United Nations Office on Drugs and Crime (UNODC) Global Study on Homicide 2023, approximately 458,000 intentional homicides were recorded globally in 2022. While this figure reflects a modest decline compared to the early 2000s, it remains unacceptably high. Meanwhile, crimes involving serious bodily injury, domestic violence, and grievous assault are widely acknowledged to be substantially under-reported in most jurisdictions (UNODC, 2023).

For Uzbekistan, the issue carries particular contemporary relevance. Following the political reforms initiated by President Shavkat Mirziyoyev since 2016, Uzbekistan has embarked on a sweeping modernization of its legal architecture. While the 1994 Criminal Code remains the primary legislative instrument, it has undergone significant conceptual shifts aimed at moving away from the Soviet legal tradition. Under the framework of Presidential Decree No. UP-6007 (29 June 2021), the country initiated a comprehensive overhaul of criminal legislation to prioritize proportionality-based sentencing, expand victims' rights, and introduce a broader range of non-custodial sanctions. A historic milestone in this evolution was the enactment of Law No. ZRU-829 in April 2023, which formally criminalized domestic violence and integrated protective orders into the criminal justice process, marking a fundamental turning point in the national legal consciousness.

However, independent monitoring bodies — including the UN Human Rights Committee — have observed that implementation remains uneven and that several provisions relating to violence against persons require further refinement (UN HRC, 2023). The gap between legislative text and institutional practice is not merely anecdotal. Despite the enactment of Law

No. ZRU-829, field reporting and civil society monitoring suggest a persistent structural disconnect: while protective orders have been issued in significant numbers since April 2023, the transition from administrative registration of domestic violence incidents to full criminal prosecution remains statistically low. This pattern indicates that criminalization on paper has outpaced the institutional readiness of local law enforcement — a gap that manifests in under-trained district inspectors (uchastkovye), insufficient coordination between the Ministry of Internal Affairs and the judiciary, and a persisting reluctance among victims to engage a system whose response capacity they distrust. Addressing this implementation deficit is at least as urgent as further legislative refinement. The present study seeks to contribute to this reform process by systematically examining the legislative and institutional approaches of five selected high-performing jurisdictions and translating their lessons into actionable proposals for Uzbekistan.

This study employs a multi-method comparative legal research design built on four methodological pillars.

First, a formal-dogmatic comparison is conducted between the criminal codes of the United States (Model Penal Code 1962, as amended; and selected state statutes), Germany (Strafgesetzbuch, StGB), the United Kingdom (Offenses Against the Person Act 1861 and subsequent legislation), Singapore (Penal Code, Cap. 224, as revised in 2020), and Japan (Penal Code, Act No. 45 of 1907, as amended through 2022), alongside the currently operative Criminal Code of Uzbekistan.

Second, the study quantitatively analyzes longitudinal crime statistics, drawing on data from the UNODC Crime and Criminal Justice Statistics Database (2019–2024), Eurostat Criminal Statistics, and national statistical agencies.

Third, the study examines prosecution services, victim support structures, and sentencing commissions in the selected jurisdictions at an institutional level.

Fourth, the study assesses Uzbekistan's binding international obligations under the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture (CAT). It also evaluates the relevance of the Council of Europe Istanbul Convention — which Uzbekistan has not yet signed but which remains the international benchmark for combating violence against women.

Case selection was guided by three criteria: (i) demonstrated effectiveness in reducing violent crime over the period 2010–2022; (ii) representativeness of distinct legal traditions (common law, civil law, and hybrid systems); and (iii) relevance of specific reform experiences to Uzbekistan's institutional context.

INTERNATIONAL COMPARATIVE EXPERIENCE

The United States presents a complex but instructive picture. Homicide rates vary dramatically across states, but jurisdictions that have adopted Sentencing Guidelines — most notably the federal system and states such as Minnesota and Washington — have achieved greater consistency and proportionality in sentencing outcomes. The US Sentencing Commission's 2022 Annual Report records that federal courts imposed sentences within Guidelines ranges in 48.6% of cases (USSC, 2022).

A particularly transferable innovation is the specialized domestic violence court model, pioneered in New York in the 1990s and now operating in more than 300 jurisdictions nationwide. These courts integrate judicial oversight, mandated treatment programs, and dedicated victim advocates. Independent evaluations consistently show reductions in re-offending of between 20% and 35% compared with general criminal courts (Gover et al., 2021).

However, the US also provides a cautionary lesson: mandatory minimum sentencing, particularly under the 1994 Violent Crime Control and Law Enforcement Act, produced

substantial prison overcrowding and disproportionate impacts on minority communities. This prompted reform through the First Step Act of 2018. Uzbekistan should note this tension between deterrence and proportionality when calibrating its own sentencing framework.

Germany's criminal law rests on a sophisticated dual-track system that distinguishes between punishments (Strafen) imposed in proportion to culpability, and preventive measures (Maßregeln der Besserung und Sicherung) that may extend beyond this period where ongoing dangerousness is established. Sections 211–231 of the Strafgesetzbuch (StGB) set out a coherent hierarchy of offenses against life and physical integrity, from murder (Mord, § 211) to negligent bodily harm (fahrlässige Körperverletzung, § 229), with sentencing ranges carefully calibrated to reflect degrees of harm and culpability.

Germany's rate of intentional homicide stood at 0.8 per 100,000 inhabitants in 2022 — one of the lowest in the world — and its recidivism rate for violent offenders (approximately 18% within five years of release) is substantially lower than the OECD average (BKA, 2023). Scholars attribute this to the strong rehabilitative orientation of the prison system, the extensive use of community sanctions, and high-quality legal aid. The German victim compensation scheme (Opferentschädigungsgesetz, OEG), providing direct financial aid regardless of whether the perpetrator is identified, offers a model for Uzbekistan, where such mechanisms remain nascent.

The most significant recent development in UK criminal justice is the adoption of a "public health approach" to violence prevention, inspired by Glasgow's Violence Reduction Unit (VRU). By treating serious violence as a public health issue, the VRU coordinates interventions across health, education, and social services. Between 2005 and 2019, Glasgow's homicide rate fell by 65%, from 4.3 to 1.5 per 100,000 (Scottish Government, 2022).

The Domestic Abuse Act 2021 further strengthened the legal framework by criminalizing patterns of "coercive and controlling behavior" and establishing a statutory definition of abuse that encompasses psychological and economic harm. Furthermore, the UK's detailed victimization data enables evidence-based policy-making. In contrast, Uzbekistan's statistics agency (formerly Goskomstat, now the Statistics Agency under the President) currently publishes only aggregate figures, limiting the ability to target resources effectively. The UK experience carries a specific lesson for Uzbekistan's rapidly urbanizing regions: in cities like Tashkent, where population density is increasing and traditional community oversight mechanisms are weakening, violence prevention cannot remain the exclusive mandate of the Ministry of Internal Affairs. Glasgow's VRU succeeded precisely because it redistributed responsibility across health, education, and social welfare agencies — treating violence as a symptom of social pathology rather than a policing problem. Uzbekistan's inter-ministerial coordination structures already exist in nascent form through the Cabinet of Ministers' sectoral commissions; what is needed is a formal mandate, dedicated funding, and accountability metrics that span ministries rather than terminating at the MVD's departmental boundary.

Singapore's Penal Code, revised in 2019, demonstrates how a jurisdiction can maintain low violent crime rates through deterrence, efficient prosecution, and community-based restorative mechanisms. Singapore's intentional homicide rate of 0.2 per 100,000 in 2022 reflects sustained investment in policing and social cohesion (Singapore Police Force, 2023).

The 2019 revision enhanced penalties for offenses involving vulnerable victims and expanded the definition of "hurt" to include psychological harm. Importantly, it established a statutory pathway for restorative justice, allowing victim-offender mediation for less serious offenses. Singapore's Community Court handles offenders with mental health or addiction issues, emphasizing rehabilitation; recidivism rates among participants are approximately 12%, compared with 25–30% in regular courts (Ministry of Law Singapore, 2022).

Japan consistently records a homicide rate of 0.25 per 100,000 (National Police Agency Japan, 2023), attributed to strong social cohesion and a prosecution culture emphasizing detection certainty over punishment severity. Japan's Dispute Resolution Center network (Houterasu) offers free mediation in criminal matters, facilitating negotiated restorative resolutions. Studies indicate that participants in mediated settlements report higher satisfaction than those in conventional adjudication (Hamai & Ellis, 2020). The applicability of this model to Uzbekistan is real, but requires cultural translation. Japan's high social cohesion — the sociological precondition for effective community-based mediation — does not transfer automatically to a different institutional context. What Uzbekistan does possess, however, is the Mahalla system: a network of community self-governance bodies with deep roots in Central Asian civil society, currently functioning primarily as administrative intermediaries and social observers. With targeted legal empowerment and trained mediators, Mahalla committees could be repositioned as primary mediation hubs for minor bodily harm and first-time domestic conflict cases, routing them away from formal criminal proceedings toward supervised restorative processes. This would require amending the Law on Self-Governance Bodies of Citizens (2013) to confer explicit mediation authority in criminal matters, alongside a mandatory training standard for Mahalla mediators developed jointly by the Ministry of Justice and civil society organizations. The risk of misuse — specifically, informal pressure on victims to withdraw complaints — must be countered by requiring that any mediated agreement in a case involving bodily harm be approved by a prosecutor before taking legal effect.

Across the five jurisdictions examined, several common threads distinguish effective from less effective responses to crimes against life and health:

(a) Proportionality and legislative clarity. Effective systems articulate a clear hierarchy of offenses with sentencing ranges that reflect graduated degrees of harm, culpability, and vulnerability. Germany and Singapore exemplify this approach. While Uzbekistan's current Criminal Code has made progress in this direction, the provisions governing medium-gravity bodily harm (Articles 104–107) still lack precise definitional criteria distinguishing them from aggravated assault.

(b) Victim-centered design. All five jurisdictions have moved beyond purely punitive paradigms to incorporate robust victim support and compensation mechanisms. Uzbekistan's lack of a state victim compensation fund remains a gap inconsistent with the obligations assumed under Article 2 of the ICCPR, as elaborated by the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation (2005).

(c) Restorative and rehabilitative elements. Japan, Singapore, and Germany demonstrate that restorative justice mechanisms, when properly supervised, can reduce recidivism while improving victim satisfaction. Uzbekistan's Law on Mediation (2018) created a vital framework; however, it has not yet been systematically extended to criminal matters involving violence.

(d) Data-driven policy-making. Granular crime data — disaggregated by victim characteristics, relationship to perpetrator, and geography — are essential for evidence-based policy. Current data-collection practices in Uzbekistan fall short of international standards and require reform as a matter of priority.

(e) Specialized institutional capacities. Specialized courts, prosecutors, and victim support services are consistently associated with better outcomes. Uzbekistan has established specialized anti-corruption courts but has yet to extend this model to violent crime or domestic violence.

LEGISLATIVE AND INSTITUTIONAL REFORM PROPOSALS FOR UZBEKISTAN

Proposal 1 — Definitional clarification and hierarchical coherence. Articles 97–109 of the operative Criminal Code should be amended to introduce explicit objective and subjective

criteria distinguishing degrees of bodily harm. Specifically, a medico-legal standard equivalent to Section 18 of the UK Offences Against the Person Act 1861 should be adopted, defining "grievous bodily harm" by reference to permanent disability, loss of a bodily function, or injuries requiring hospitalization exceeding twenty-eight days.

Proposal 2 — Enhanced protection for vulnerable victims. Following Singaporean and UK models, a specific aggravating circumstance should be introduced into Article 56 of the Criminal Code to mandate enhanced sentencing where the victim is a minor, an elderly person, a pregnant woman, or a person with a disability. The current formulation of Article 56(1)(m) — "commission of a crime against a helpless person" — is insufficiently precise and leads to inconsistent judicial application.

Proposal 3 — Criminalization of psychological violence and coercive control. While the April 2023 Law (No. ZRU-829) represented a historic step in criminalizing physical domestic violence, Uzbekistan should enact further amendments criminalizing psychological violence and "coercive control," consistent with Article 3 of the UK Domestic Abuse Act 2021. As noted by Amnesty International (2023) and human rights experts involved in drafting the 2023 law, economic and psychological violence remain unaddressed, leaving many victims without adequate legal protection.

Proposal 4 — Alignment with the Istanbul Convention framework. Although Uzbekistan is not a party to the Istanbul Convention, the framework remains the international benchmark for combating violence against women. Uzbekistan should formally study the Convention's requirements and prepare a roadmap toward alignment or eventual accession, as recommended by the UN Committee on the Elimination of Discrimination Against Women (CEDAW, 2022).

Proposal 5 — Establishment of a State Victim Compensation Fund. Drawing on the German OEG model, Uzbekistan should establish a State Victim Compensation Fund administered by the Ministry of Justice. This fund should provide direct financial assistance to victims of violent crime irrespective of the outcome of criminal proceedings. Critically, the fund must be grounded in a fiscally sustainable mechanism suited to Uzbekistan's budgetary realities: specifically, 15% of all fines collected under Chapter V of the Criminal Code (Crimes Against the Person) should be redirected by statute to the Fund, supplemented by proceeds from asset forfeitures in violent crime convictions. The Ministry of Justice should establish a dedicated Fund Secretariat with a mandate to process applications within 30 calendar days, a strict ceiling based on medical and rehabilitation costs, and an independent audit panel reporting annually to the Oliy Majlis. This design avoids the principal weakness of general treasury-funded schemes — susceptibility to annual budget cuts — by creating a ring-fenced revenue stream directly linked to the enforcement of the very provisions the Fund is designed to remedy.

Proposal 6 — Specialized Domestic Violence Courts. Pilot specialized domestic violence courts should be established in major urban centers (Tashkent, Samarkand, Fergana), modeled on the New York system. These should feature dedicated prosecutors, victim advocates, and mandatory rehabilitative programs for offenders.

Proposal 7 — Extension of Restorative Justice to Violent Offenses. The Law on Mediation (2018) should be amended to authorize court-supervised mediation for less serious violent offenses (medium-gravity and below), with strict safeguards to address power imbalances, consistent with Council of Europe Recommendation Rec(2018)8.

Proposal 8 — Disaggregated Crime Statistics and Open-Data Infrastructure. The Ministry of Internal Affairs and the Prosecutor General's Office should be required to publish annual crime statistics disaggregated by offense type, victim demographics, and perpetrator-victim relationship in a publicly accessible, machine-readable format. However, "publishing statistics" is not itself a reform — it is the precondition for one. The Statistics Agency under the President

should therefore be mandated by governmental resolution to launch a publicly accessible open-data dashboard, updated quarterly, where each recorded violent offense is classified by victim-perpetrator relationship (intimate partner, family member, acquaintance, or stranger), victim age group, and geographic district (tuman). This single structural change would, for the first time, allow researchers, civil society organizations, and the Prosecutor General's Office to identify concentration patterns — whether domestic violence is clustered in specific oblasts, whether recidivism is higher among offenders released without rehabilitation programs, and whether the protective order mechanism introduced under ZRU-829 is producing measurable reductions in repeat victimization. Without this infrastructure, all legislative reforms risk being evaluated only on paper.

Proposal 9 — Public Health Violence Reduction Strategy. An inter-ministerial Violence Reduction Council should be established within the Cabinet of Ministers — mirroring the Scottish VRU model — to coordinate prevention activities across health, education, and law enforcement agencies.

CONCLUSION

The comparative analysis presented in this study demonstrates that effective responses to crimes against life and health require a sophisticated integration of deterrence, proportionality, victim protection, restorative justice, and evidence-based policy-making. No single jurisdiction provides a perfect model; each of the five reviewed presents both significant achievements and cautionary lessons.

For Uzbekistan, the overarching message is one of opportunity. The historic criminalization of domestic violence through the April 2023 law marked a fundamental turning point in the national legal consciousness. The ongoing modernization of the criminal justice system, coupled with the country's increasing engagement with international human rights bodies, creates a propitious environment for deeper structural reform. The nine proposals advanced in this study are grounded in empirical comparative evidence, consistent with Uzbekistan's international treaty obligations, and designed to be practically achievable within the country's institutional and resource constraints.

The most urgent priorities identified include: the legislative clarification of the definitional framework for offenses against the person; the criminalization of psychological violence and coercive control to complement the 2023 domestic violence law; the establishment of a state victim compensation fund; and the systematic reform of crime statistics to enable evidence-based policy-making. Pursued in tandem, these measures would substantially strengthen Uzbekistan's capacity to protect its citizens from crimes that threaten the most fundamental values of a rule-of-law state.

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