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## Issues of Improving the Principle of Humanity in the Criminal and Penalty System

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**sAnnotation:** This article describes the changes taking place in the Republic on improving the principles of humanity in the criminal and penal system. There are also norms in the field of the penal system, such as the replacement of the punishment with a lighter one for the offender.

**Keywords:** Crime, Punishment, Presumption of Innocence, Humanity, Probation, Definitive Norm

Currently, state law, and legal theory of crime and punishment and to improve the liberalization of criminal penalties and enforcement of the rule of law in order to solve the problems of humanization of the judicial system to ensure a more defined, as one of the priorities of the reform of this research is important to to the industry, earns.

In particular, the further development of the Republic of Uzbekistan for the period 2017-2021 strategy for the second action plan for the direction of the rule of law as priorities for further reform of the judicial system, and a 2.4-point fight against crime crime prevention and the improvement of the system is dedicated to.

In the theory of state and law, criminal liability is a type of legal liability and is one of the basic concepts of criminal law. As far as we know, the term "criminal liability" varies in the legal literature. Basic criminal liability; criminal prosecution; exemption from criminal liability is to be interpreted. Crime is

always committed by specific individuals. Therefore, the person who committed the crime is recognized as the subject of the crime. The absence of the subject of the crime implies the non-existence of the crime structure and the crime itself.

Criminal law uses concepts such as guilty, convicted, person who has committed a crime, person guilty of a crime in relation to the subject.

Legal entities, ie organizations, enterprises, institutions and public associations, cannot be the subject of a crime. Therefore, if a socially dangerous act is committed in connection with service or production activities in a state enterprise, institution, organization and public association, the relevant officials or other employees responsible for this task become the subject of a crime.

The subject of the crime must be sane, that is, he must be aware of the socially dangerous nature of his actions or inactions and be able to control them.

Reason is a necessary condition of guilt and criminal liability. Only those who understand the socially dangerous nature of their actions or omissions and are able to control them will be prosecuted in order to correct the culprit.

The fact that a person has reached the age of criminal responsibility established by law is one of the necessary signs of the subject of the crime. The fact

that the law clearly regulates the age limit makes it necessary to correctly determine the age (day, month, year of birth) of the person who committed the crime. This need is enshrined in Article 314 of the Code of Criminal Procedure.

In the theory of state and law, criminal liability arises only when there is an aggression that seriously harms or may cause such damage to social relations protected by the norms of criminal law. Thus, in their turn, some criminal responsibility legal outcome which will bring. Criminal liability is a criminal legal relationship. However, for the origin of a criminal legal relationship, any legal fact is required, and such a legal fact is a crime. Article 16 of the Criminal Code of the Republic of Uzbekistan defines criminal liability: Liability for a crime is a crime. is the legal consequence of the commission of a crime, which is expressed in the application of a court sentence, punishment or other legal measure of restraint against the person. It should be noted that the Address of the President of the Republic of Uzbekistan Shavkat Mirziyoyev to the Oliy Majlis also pays great attention to reforms in this area. From now on, if the sentence given to a person deprived of liberty for the first time is replaced by a lighter sentence, he will be placed under direct probation without being transferred to a colony. As a result of this exemption, 6,000 convicts will be able to stay with their families under the supervision of their mahallas. transferred from penitentiary institutions to newly established humanitarian commissions.

Our reforms in the judicial sphere, including the liberalization of criminal penalties, are being consistently pursued. As a result, 74 percent of those convicted this year were sentenced to non-custodial sentences. 616 citizens who were serving their sentences and firmly on the path to recovery were pardoned.

The norms of the criminal law norms during the match.

They can be divided into the following types:

1. Norma prinsiplar- criminal law, the general rules of the norms that define the objectives and principles of criminal law.(Articles 2-10 of the Criminal Code).

2. Definitiv normalar- criminal legal concepts and establish norms. For example, the concept of crime and socially dangerous act that the Criminal Code (Article 14), the concept of the responsibility for the crime (Article 16 of the Criminal Code), cared for the concept of a sound (Article 18 of the Criminal Code), the concept of punishment (Article 27 of the Criminal Code) concept (Article 42 of the Criminal Code).

3. Protective norms - norms that protect a specific object - social relations - by criminal law. All the norms in the Special Part of the Criminal Code are protective norms.

4. Prohibitive norms - norms contained in the articles of the Special Part of the Criminal Code, which prohibit the commission or non- commission of certain acts . For example, murder (97- ), damage to a person's health delivery (104-111), theft (Article 169) and the norms prohibiting such acts.

These specified norms of criminal law are currently being developed on the liberalized cases of punishment.

We can also see that the notion of the presumption of innocence is not overlooked today. A suspect, accused, or defendant shall be presumed innocent until proven guilty in the commission of a crime by a court judgment which has entered into force.

In this regard, work is underway to widely apply the principle of humanity in the penitentiary system. Article 43 of the Criminal Code, the penalty system, which has been found guilty of committing a crime shall be applied punishment. This is a punishment system in terms of weight or less is not a dangerous criminal offense in accordance with the idea of being in accordance with the theory of the right. In contrast to the previous Criminal Code, the new Criminal Code penalties system to its weight in terms of the top down but from the bottom up, not determined.

The establishment of the penal system in this order fully reflects the principle of "humanity". The penalty system is a set of types of punishments placed from severe to light. The new Criminal Code penalties previous criminal system of Law of Punishment: deportation, exile, the release of the duties of the damage, punishment, such as a duty to cover the public might not. This is because the above punishments have not yielded positive results in practice. Today's reforms show that the chambers of the Oliy Majlis, the National Center for Human Rights are developing a number of proposals to expand the powers of the Ombudsman for the prevention of torture, as well as to strengthen public control. At the same time, the Ombudsman, together with members of the public, should establish a system of "monitoring visits" to pre-trial detention facilities and penitentiaries on a quarterly basis. As evidence of our bold steps to liberalize the existing legislation in this area, yesterday the penalties in the form of imprisonment under the articles of the Criminal Code, such as "slander" and "insult" through the media were abolished. Such reforms include the revision of the penal system and mechanisms for their appointment, the elimination of outdated forms and types of penalties that do not meet modern requirements, and the expansion of incentives, including mitigation or exemption from criminal liability or punishment. . It is worth noting a number of changes, such as.

In conclusion, from the first days of independence, the Republic has been carrying out comprehensive reforms in all areas, including the legal sphere. Such changes will lead our citizens to a higher level of legal awareness and legal culture. The formation of legal awareness of citizens is a necessary requirement for the prevention of crime, the fight against crime. President Sh. According to M. Mirziyoyev, "The formation of legal consciousness and legal culture in society is directly related, first of all, to upbringing and environment. Just an example. In Calgary, Canada, where there are more than 1 million vehicles, 10 people have died in car accidents

in the first 10 months of this year. Compare for yourself: in our country, where there are more than 2.5 million vehicles in total, more than 1,600 people were killed in car accidents during this period. Isn't this a great tragedy, a great loss? " As long as we do not form the legal culture in our society, if we do not put an end to crime, violations of the law will continue. Respect for the law is formed on the basis of the legal consciousness and culture of our people. In fact, foreign ideas, views, and illegal actions that enter the person from whom legal immunity is formed will not be affected. In addition, legal advocacy has improved. Explanatory work is carried out in the neighborhoods by qualified lawyers. In order to involve a wide range of the population in lawmaking activities, a special "Invitation to Legislation" bot has been launched on the Legal Information Channel on the Telegram messenger. Thousands of suggestions are received from citizens through this bot and are being considered.

At present, this issue is rising to the level of state policy, for which purpose it is important to further increase the legal awareness, legal culture, education, legal literacy of citizens, increase the interest of young people in the field of law, their upbringing into a legally mature and harmoniously developed generation. is one of the goals and objectives. Citizens who know their rights in society and follow the rules do not commit crimes.

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