THEORETICAL AND LEGAL ISSUES OF COOPERATION AGAINST CORRUPTION

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Abstract: *in this scientific article, the author carefully analyzed the theoretical and legal problems of the fight against transnational organized crime and corrupt crimes. Moreover, the author was able to reveal the essence and content of the concept of corruption crime. The article also examines the signs and types of transnational crimes, in particular human trafficking, regional corruption, etc.*

This scientific article provides a systematic analysis of the international legal basis for cooperation in the fight against crime. In the article, the author tried to highlight the theoretical aspects of the issue of international cooperation of law enforcement agencies in the system of combating crime. It also analyzes the content and essence of the concepts of "international criminal group" and "international criminal community", which are considered relevant today.

The author's comparative analysis on international conventions, declarations and legislation of foreign countries reflected the specifics of this article.

Keywords: *international cooperation, international crimes, corruption, legal instruments, bribery, international organizations, legal acts, mutual legal assistance.*

Коррупцияга қарши курашиш бўйича ҳамкорликнинг назарий ва ҳуқуқий масалалари

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Аннотация: *ушбу илмий мақолада трансмиллий уюшган жиноятчилик ва коррупцион жиноятларга қарши курашнинг назарий ҳамда ҳуқуқий муаммолари синчковлик билан таҳлил қилинган. Бундан ташқари, муаллиф "коррупцион жиноят" тушунчасининг мазмун-моҳиятини очиб бера олган. Шунингдек, мақолада трансмиллий жиноятларнинг белгилари ва турлари, хусусан, одам савдоси, минтақавий коррупция каби масалалар кўриб чиқилган, жиноятчилик, шу жумладан, коррупцияга қарши курашишда ҳамкорликнинг ҳуқуқий асослари тизимли таҳлил қилинган. Бугунги кунда долзарб ҳисобланган "халқаро жиноий гуруҳ" ва "халқаро жиноий ҳамжамият" тушунчаларининг мазмун-моҳияти ҳам таҳлил қилинган.*

Муаллифнинг халқаро конвенциялар, декларациялар ва хорижий мамлакатлар қонунчилиги бўйича қиёсий таҳлили ушбу мақоланинг ўзига хос хусусиятларини акс эттирган.

Калит сўзлар: *халқаро ҳамкорлик, халқаро жиноятлар, коррупция, ҳуқуқий воситалар, порахўрлик, халқаро ташкилотлар, ҳуқуқий актлар, ўзаро ҳуқуқий ёрдам.*

Теоретические и правовые вопросы сотрудничества по борьбе с коррупцией

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Аннотация: *в данной научной статье автор тщательно проанализировал теоретические и правовые проблемы борьбы с транснациональной организованной преступностью и коррупционными преступлениями. Кроме того, автор смог раскрыть сущность и содержание понятия коррупционной преступности. В статье также рассматриваются признаки и виды транснациональных преступлений, в частности, торговля людьми, региональная коррупция и т.д.*

В данной научной статье представлен системный анализ международно-правовой базы сотрудничества в борьбе с преступностью. В статье автор попытался осветить теоретические аспекты вопроса о международном сотрудничестве правоохранительных органов в системе борьбы с преступностью. В ней также анализируются содержание и сущность понятий "международная преступная группа" и "международное преступное сообщество" которые считаются актуальными сегодня.

Авторский сравнительный анализ международных конвенций, деклараций и законодательства зарубежных стран отразил специфику данной статьи.

Ключевые слова: *международное сотрудничество, международные преступления, коррупция, правовые инструменты, взяточничество, международные организации, правовые акты, взаимная правовая помощь.*

Introduction

Everyone knows that since the end of the 19th century, the international activity of crime has steadily increased. In recent decades, this has been facilitated by the blurring of the borders of states, their growing transparency, the expansion and interpenetration of economic markets that were previously closed or tightly controlled by states.

This creates conditions for the emergence of new, previously unknown forms of crime, deepening its professionalization. Because of changes in the structure of trade, finance and information, crime often loses stable ties with specific states, national borders are increasingly losing the nature of obstacles to its prevalence.

According to the address of the President of the Republic of Uzbekistan Shavkat Mirziyoyev to the Oliy Majlis and the people of Uzbekistan on 26 December 2025, "... corruption is a grave threat that impedes state development, undermines the rule of law and justice, and weakens public trust. Allowing corruption is tantamount to betraying our reforms.

In the fight against this scourge, we declare a "state of emergency" on corruption in 2026. In all government bodies, a deputy responsible for compliance and internal anti-corruption control will be appointed. Additionally, the role of a representative from the Accounts Chamber will be established. These executives will identify dishonest individuals within the system, exercise oversight to prevent misappropriation of budget funds and abuse of official powers, and report directly to the President.

Personal accountability for every soum of state funds and resources will be strengthened. Those who think, "I have a position and title, no one can tell me what to do" are mistaken. Under the law, everyone is equal!

Security services, internal affairs, the prosecutor's office, tax and customs aut-

horities, finance, banks, large state-owned companies, ministries, and hokimiyats – in short, no organization or body will remain outside control.

Those who obstruct the compliance service will be considered accomplices in corruption, and the responsibility will be strict. Starting January 1, the Compliance Service of the Administration of the President will launch this mechanism across all government bodies and organizations, taking the situation under strict control".

The concepts of "international cooperation" and "international cooperation in combating crime" are interpreted and analyzed differently in scientific and analytical literature. In general, the concept of cooperation means "working together, participating in collective work".

It should be noted that while acknowledging the existence of an established field of international criminal law, the issue of regulating international cooperation in combating crime has not yet been fully resolved.

Based on this, before discussing the concept of "international cooperation of prosecution authorities in combating crime, "it is advisable to consider the content of "international cooperation in combating crime" more broadly.

After all, issues of international cooperation in combating crime are an integral part of international criminal law.

According to V. Gerhard, the signing of international treaties by states on combating specific types of crimes, such as human trafficking, piracy, terrorism, and counterfeiting, as well as the recommendations and decisions of conferences and international congresses on combating crime, played a significant role in the formation and development of the concept of international cooperation in combating crime [2, p. 60].

While this issue attracted more attention in Europe and America at the time, it became relevant for all regions by the second half of the 20th and early 21st centuries.

International cooperation against crimes: theory and practice.

From the above analysis, international cooperation in combating crime is one of the main directions of international legal relations within the field of international criminal law. This, in turn, serves to ensure international legal order and the internal legal order of states, as well as to regulate international and national security [3, p. 176]. Such cooperation requires specific activities from subjects of international law in areas such as crime prevention, combating crime, and dealing with offenders.

The terms "international cooperation" and "international cooperation in combating crime" are interpreted differently in scholarly literature. The concept of "cooperation" itself is used in the sense of working together and participating in team efforts.

In our opinion, having arisen at the junction of several legal systems - international and domestic law, as well as several sciences - international, criminal, criminal procedural law - this concept still retains its special status. This leads to the fact that each of the "parent" disciplines quite willingly includes its individual elements as an integral part, without recognizing its independence, without considering and studying these legal phenomena systematically and in full.

The ambiguity of this position has many reasons. The main one is the objective existence of such legal facts and phenomena, which in themselves can be investigated only with the help of the combined efforts of several sciences.

Another reason for the ambivalence is the history of the formation of international cooperation in the fight against crime. It matured in the bowels of both domestic and international law and in the full sense of the word was born "at the crossroads"

of these two legal systems [4, p. 36]. This creates considerable difficulties both in determining the subject of study of this phenomenon and in identifying the range of its problems.

At the same time, the needs of practice dictate the need to study such boundary problems. Requests for research into issues of international cooperation in the fight against crime are ahead of the development of theoretical knowledge about them in international law and relevant branches of domestic law.

International cooperation encompasses states' activities in foreign policy, economics, and other spheres, participation in common affairs related to relations between states, and collective cooperation. Legal literature shows that concepts expressing international cooperation in the fight against crime are interpreted differently [5, p. 187].

In particular, it is used in the forms of "international cooperation in the fight against crime and terrorism", "international cooperation in the fight against crime", "cooperation in criminal matters", "fight against international crime," "legal cooperation in the fight against crime," "legal assistance in criminal cases," and "mutual assistance in criminal cases" [6, p. 544].

The use of such numerous forms of the same concept, firstly, indicates the multifaceted nature of interstate cooperation in the field we are studying, and secondly, depends on the different approaches of various authors to the problem [7, p. 451].

International cooperation in the fight against crime, by its very nature, includes coordinated actions based on current norms of international law and national legislation, actions of law enforcement agencies based on the mutual assistance of involved states in the interests of the world community or several participating states to prevent crime, uncover crimes, stop criminal activities, investigate and submit criminal cases to the court for consideration, as well as actions to deal with offenders and execute punishments [8, p. 193].

Bassiouni rightly emphasized that international cooperation in criminal matters and international cooperation in combating crime should be studied separately, and their subject areas will be different [9, p. 66].

In addition, many international legal scholars consider the issues of international cooperation in combating crime to encompass the efforts of states and international organizations against existing crime, the prevention of crime, the identification of new forms of emerging crime and the development of new methods to combat them, as well as the solidarity and unity of states and international organizations in these relations.

International cooperation in criminal proceedings is the primary goal of states and international organizations, aimed at ensuring the inevitability of responsibility for committed crimes through various forms and directions of international cooperation, as well as ensuring justice.

The fight against crime in the world is designed and implemented at various levels, namely at the global level (at the level of the UN, its bodies and organizations), at the regional level (at the level of the Council of Europe, the European Union, the Commonwealth of Independent States, the Shanghai Cooperation Organization, etc.), and at the national level (within individual states).

The main challenge in cooperation for combating crime is defining its legal foundations. The legislation of states on combating crime is largely determined by their national laws and the norms of international law recognized by the state. The determination of criminal jurisdiction is based

on the principle of territoriality [10, p. 163]. According to this principle, a crime committed in the territory of one state falls under the jurisdiction of that state's court. However, this is not an absolute rule.

I.Bigbeder's opinion on this issue is as follows: the emergence and tasks of cooperation are directly expressed in the actions of individuals with international crimes of a particular state [11, p. 171]. These persons implement the illegal policy of the state and create international crime.

In such cases, along with the state responsible for the violation of law, specific individuals are also subject to international criminal liability.

This issue also applies to crimes that are not directly related to the criminal policy of a particular state but affect both national and international law and order, posing a social danger for several or all states, that is, they are assessed as an international social threat [12, p. 29].

Such crimes are classified as crimes of an international nature. Preventing them, stopping them, and punishing criminals requires joint action by different states.

The "Glossary of Terms and Concepts in the Field of International Law" provides the following definition of international cooperation in combating crime: "International cooperation in combating crime - fighting against crime, which is considered a socially dangerous act, requires states to unite their forces and act in cooperation.

Joint cooperation of states in the fight against international crimes and crimes of an international nature, as well as general crime, and consequently, international cooperation in the fight against crime, takes place on a contractual basis. A new and distinctive area of international cooperation in combating crime is the cooperation of states at the UN level in fighting crime" [13, p. 129].

Legal analysis of cooperation in criminal cases

Despite substantial international experience in implementing mechanisms for cooperation in combating crime, we observe that collaboration in this system remains inadequate in several areas. These include establishing a regulatory framework, legal cooperation across various criminal domains, providing bilateral and multilateral technical assistance within regional and universal international organizations, creating and distributing a unified database of wanted individuals or those with specific information to states, addressing issues in qualifying committed crimes or their prevention, and cooperation in preventive measures.

It can be said that a specific mechanism for implementing international cooperation in the fight against crime has now been formed. This mechanism includes contractual-legal (conventional) and organizational-legal (institutional) elements for carrying out cooperative activities [14, p. 222].

The conventional element of international cooperation in combating crime encompasses a set of agreements between states, which provide for the coordination of states' contractual and legal actions in the field of crime prevention.

When studying international legal documents in the field of combating crime, it is advisable to analyze them through classification. This methodological approach is crucial for understanding their legal nature and developing state strategies in relation to them. Various scholars and experts have attempted to classify these documents.

Most of experts on international criminal law emphasize the importance of studying documents in the field of international cooperation in criminal matters by dividing them into several groups. This approach is based on the classification of international treaties (universal, regional, bilateral, multi-

lateral, interstate, intergovernmental, interdepartmental) presented in the general theory of international treaty law [15, p. 36-37].

Scholars propose the following categories:

the first group - universal international legal documents;

the second group - regional documents;

the third group - model treaties (i.e., model treaties developed by the UN);

the fourth group - bilateral agreements;

the fifth group - interdepartmental documents;

the sixth group - founding documents of international courts.

Slightly different from the above grouping, Saidova and Sulaymonov distinguishe four groups of international legal documents and includes interdepartmental agreements in the fourth group [16, p. 3-84].

From the perspective of membership in international treaties, they can be divided into multilateral and bilateral agreements. While bilateral treaties are agreements between two states and can be further categorized into specific types based on their subject matter, multilateral treaties can be grouped according to the number of participants (universal, regional treaties) and by their subject of regulation, such as those addressing all types of crimes or specific types of crimes and extradition of criminals [17, p. 63].

International instruments (conventions and treaties) of a binding nature in the fight against crime can be classified according to their subject matter and the number of parties involved.

Thus, in our opinion, it is appropriate to classify the international legal regulation of combating crime as follows:

1) Universal documents regulating international cooperation in the fight against crime (charters of international organizations, statutes of the International Tribunal, model treaties adopted by universal international organizations);

2) International documents on combating or preventing specific types of crimes [18, p. 40-56];

3) Multilateral regional conventions (treaties, agreements);

4) Bilateral international treaties subject to regulation.

In this context, from the perspective of law enforcement activities, we consider it appropriate to define the concept of “international cooperation” as follows [19, p. 57]: “international cooperation is an activity carried out between the competent state bodies of the Republic of Uzbekistan and the competent authorities of international organizations and foreign states in the field of combating money laundering and predicate offenses (including exchange of information and documents, execution of procedural actions, etc.)”.

In brief, we propose to define the international cooperation of the prosecutor’s office in combating crime as follows [20, p. 411]: “International cooperation of the prosecutor’s office in combating crime is a legally regulated activity that encompasses actions such as preventing the commission of specific crimes considered socially dangerous acts, based on their legal nature and essence, as well as developing mechanisms to combat existing crime, identifying new forms of emerging crime, and developing new methods to counter them. This cooperation requires the collaboration and solidarity of states and international organizations and is governed by international and national legal norms”.

In this regard, we deemed it appropriate to express some opinions on the interrelation of international and national legal norms concerning the legal regulation of international cooperation in the field of combating crime [21, p. 137-140].

In particular, one of the important ele-

ments of the international cooperation mechanism in combating crime is its legal foundation. International criminal law serves as the core of this legal framework [22, p. 108].

The domestic (national) criminal legislation of participating states is closely interconnected with international criminal law and they influence each other. This complex conglomerate forms an integrated legal block that can be defined as international cooperation in the field of combating crime.

The development trends of international criminal law are leading to the formation of an independent synthesized branch of law at the intersection of two systems, as a result of the convergence of international law and the domestic (national) legal systems of states. This situation can only be realized if the cooperation of national law enforcement agencies of states in combating common crimes affecting the interests of several states is expressed as the subject of international criminal law [23, p. 17].

Currently, the primary legal basis for the interaction between law enforcement agencies and states in combating common crimes is national criminal law. It reflects norms that take into account international legal obligations in the criminal law sphere.

Nowadays, the primary legal basis for the interaction between law enforcement agencies and states in combating common crimes is national criminal law. It reflects norms that take into account international legal obligations in the criminal law sphere.

The issue of punishment is defined in international law. According to it, a person who has committed a crime under international law will be held accountable. The Nuremberg Tribunal acknowledged in its decision that “individuals are also subject to punishment for international offenses” [24, p. 61].

As noted by renowned scholar A. Cassese, “international criminal law, like national criminal law, performs three functions: it establishes rules of conduct binding on individuals, personal liability for violating such rules, and punishment for those who violate these rules” [25, p. 90].

International criminal law has established the principle that punishment should be commensurate with the social danger and nature of the crime. However, it does not clearly define the types and limits of punishment. This is not due to the large number of international and transnational crimes, but rather to the diversity of state legal systems, as through these legal systems their courts determine different punishments for such types of crimes.

The interaction of international and national law occurs within the framework of the complete (general) process of interaction between two legal systems – international law and domestic law of states. In this case, the norms of international law should be implemented into national legislation.

In the process of implementing international criminal law norms, the main issue is how international legal norms are reflected in national legislation, how they are applied by courts, and how law enforcement agencies adhere to them in their activities. This is because in the process of considering a specific criminal case, they rely on both the norms of international criminal law and the norms of domestic (national) criminal law of states.

Indeed, national courts operate in accordance with the internal (national) criminal and criminal procedure code. It is evident that some provisions of international treaties related to the rights and freedoms of citizens in the field of criminal law should be included in the national criminal, criminal procedural, and criminal-executive rights of states.

It can also be said that international treaties do not establish sanctions for acts recognized as crimes, nor do they provide for a mechanism for preventing such crimes, preventing their commission, conducting investigative work, considering the case in court, and executing punishment.

In addition, international treaty practice establishes a rule in which each State party takes the necessary measures to establish its jurisdiction over the crimes specified in the relevant Convention.

Such measures primarily include the issuance of relevant criminal law norms and prohibitions. In this regard, it can be said that the impact of international treaties on national criminal law is carried out in the following forms [26, p. 368]:

firstly, determination of the content of the signs of the composition of the crime;

secondly, determination of types of punishment and imposition of punishment;

thirdly, defining the boundaries of criminal jurisdiction.

The national criminal law of states has a strong influence on the development, adoption, and implementation of international treaties on combating crime. This influence is reflected, *firstly,* in the formation of legal awareness among representatives of states participating in the preparation of relevant agreements, the application of criminal law concepts and institutions in the development of norms of a particular international treaty; *secondly,* in the consideration of cases where the norms of national criminal legislation and court decisions are applied by international criminal courts (tribunals) [27, p. 211].

In our opinion, to ensure the effective functioning of the authorized bodies, first and foremost, the national legal and contractual framework should be revised to incorporate the following aspects:

a) a crime may commence in one state and conclude in another, or the material and technical support of the organization may be conducted from abroad;

b) a crime may be planned or prepared in one state and executed in another;

c) crimes related to financing criminal activities, laundering illegally obtained income, and those associated with cyberspace may be organized outside the territory of the given state.

Repeatedly undertaken attempts of official codification of norms about the international crimes, for today have come to the end with the Rome Statute of the International criminal court (1998). According to Part II of the Statute, the jurisdiction of the Court is limited to the most serious crimes of concern to the entire international community, which include: the crime of genocide; crimes against humanity; war crimes; the crime of aggression.

Responsibility and penalties for these crimes are established directly in international legal documents [28, p. 114].

Criminal proceedings in cases of such crimes are carried out by national law enforcement agencies and courts, as well as international criminal courts in accordance with their statutory documents - in cases where national justice refuses jurisdiction in such cases, or it is impossible to exercise it for various reasons [29, p. 6-15].

Criminal offenses of an international character are acts stipulated by international treaties, not related to international crimes, but encroaching on normal stable relations between states, damaging peaceful cooperation in various areas of relations (economic, socio-cultural, property, etc.), as well as organizations and citizens.

Responsibility for these crimes and penalties for their commission are established by national criminal legislation on the basis of international treaties that require the states participating in them “to take such measures as may be necessary in order to recognize as criminal offenses under

their legislation" [30, p. 12] acts recognized as criminal by these international treaties.

The peculiarity of law enforcement in the criminal law sphere lies in the fact that norms and principles of international law may not be complete in relation to internal (national) norms of criminal law of states.

Given that the norms of international conventions do not have sanctions, it can be said that the norms related to crimes can only be applied if they are included in the norms of internal criminal law of states.

If this criminal act is established by the norms of international law, but not provided for by the internal criminal legislation of the states, no one may be subject to criminal punishment for such an act. In this case, the norms of domestic criminal legislation of states prevail over the norms of international law.

At the same time, the norms of the General Part of the Criminal Code of the Republic of Uzbekistan make a special contribution to ensuring the implementation of the provisions of international conventions in the field of combating crime.

In particular, Articles 1-2, as well as Articles 3-10 of the Criminal Code of the Republic of Uzbekistan, which discuss the tasks and sources of the Criminal Code, are of particular importance. Because they reveal the content of the principles of legislation, that is, the principles of legality, equality of citizens before the law, democracy, humanism, justice, responsibility for guilt, and the inevitability of responsibility, these principles can be said to correspond to the principles and norms of international law.

At the same time, the provisions of Articles 11-13 of the Criminal Code of the Republic of Uzbekistan, that is, the applicability of the Code in relation to individuals who have committed crimes in the territory of Uzbekistan and abroad, as well as in time, are of great importance [31, *see: lex.uz (auth.)*].

According to J.Kombakau acknowledges, "The application of international criminal law norms in time and territory is also based on the principles and rules of internal criminal law of states" [32, p. 89].

At the same time, the procedure for the entry into force of international criminal law norms and the mechanism of their temporal application are regulated by international law. One such complex and problematic rule is the retroactive nature of international criminal law, as it is a customary norm of international law.

Responsibility and penalties for these crimes are established by domestic law, and criminal proceedings in cases concerning them are currently within the exclusive competence of national law enforcement agencies and courts [33, p. 368-379].

The practice of law enforcement agencies in various countries of the world, international criminal courts shows that criminal proceedings in cases of international crimes and crimes of an international nature are impossible without international cooperation in the fight against such crimes, which, however, is not limited to them.

Combating transnational crimes: national and international approaches.

Crime is becoming increasingly transnational, and in many cases global.

At the same time, the essence of the very concept of transnational crime has changed significantly. Previously, it determined the totality of only crimes of an international character.

At present, transnational crime is also "the commercial activity of criminal corporations carried out on the territory of several countries by illegal means and (or) with the involvement of prohibited goods and services" [34, p. 4-6].

Transnational crimes that infringe exclusively on the domestic legal order have become widespread. The main criterion for referring to them is their going beyond

national borders. In this regard, the United Nations has defined them as "offenses involving, in aspects related to planning, commission and/or direct or indirect consequences, more than one country" [35, p. 79-90]. In other words, "transnational crimes are ordinary crimes that fall under the jurisdiction of two or more states" [36, p. 8].

The criminalization of such crimes and responsibility for their commission is determined exclusively by national legislation, and criminal proceedings in cases concerning them are carried out in the jurisdiction of national law enforcement agencies and state courts at the place where a specific crime was detected and suppressed, or at the place where the perpetrators were detained.

The cooperation of states in the fight against transnational crimes is due to the fact that when investigating a significant range of crimes that infringe exclusively on the domestic legal order, without international cooperation it is impossible to ensure [37, p. 213]:

1. Collecting evidence from abroad.

2. Criminal prosecution of persons who, after committing crimes, left for the territory of a foreign state.

3. Compensation for the damage caused, as well as possible confiscation of money and property obtained by criminal means and located abroad.

The fact that transnational crimes, infringing exclusively on the domestic legal order of specific countries, dominate the subject of international cooperation in the fight against crime, is evidenced by statistics.

Thus, out of the total number of persons annually extradited from Uzbekistan at the request of foreign states, only about 3% are accused of committing crimes of an international nature, and the rest – of criminal encroachments on the domestic law and order of the countries requesting them [38, p. 144-150]. It should be noted that as transnational crimes broadly transcend national borders, a growing number of countries are developing and enacting laws, measures and strategies to deal with the problems that arise.

However, in conditions where criminals, victims, instruments of crime and proceeds from them are located in different legal systems or move from one system to another, then traditional methods of law enforcement, concentrated at the domestic level, inevitably lead to disappointing results.

When the types of transnational crimes and the perpetrators of them multiply, no country can consider itself safe, and therefore, states embark on the path of broad cooperation in combating the most complex and dangerous transnational crimes.

The legal basis for such cooperation is the relevant international treaties, which criminalize such transnational crimes in international law and thus become crimes of an international character.

For example, until 2000, crimes committed by organized criminal groups, even if they were transnational in nature, were considered only as ordinary crimes under domestic law.

With the opening for signature and subsequent ratification of the United Nations Convention against Transnational Organized Crime (2000), they are considered by the international community and each state individually as crimes of an international character.

International cooperation in the fight against crime is one of the areas of law enforcement, which is why it involves both subjects of international law and subjects of national law of states.

Participation in international cooperation of subjects of international law – states, international organizations and intergovernmental organizations, nations fighting for

independence, state-like formations – does not raise questions.

According to a number of scientists, individuals (individuals) are also subjects of international law to a limited extent. Although this point of view has not received universal recognition, we note that in relation to international cooperation in the fight against crime, individuals, in accordance with the norms of international law, have international rights and obligations, as well as the ability to ensure that subjects of international law comply with international legal norms.

For example, paragraph 10 of Art.46 of the UN Convention against Corruption states that:

"A person who is in custody or is serving a term of imprisonment in the territory of one State Party and whose presence in another State Party is required for the purposes of identifying, giving evidence or otherwise assisting in obtaining evidence for an investigation, prosecution or trial in connection with the offenses covered by this Convention may be transferred subject to the following conditions:

a) the person freely gives their informed consent to this;

b) the competent authorities of both States Parties have reached agreement on such terms and conditions as those States Parties may consider appropriate."

The foregoing allows us to give a general definition of the fight against crime.

Firstly, the fight against crime is a set of special state-legal activities carried out by specialized (law enforcement) bodies, as well as the activities of legislative and judicial authorities of the state, non-specialized executive authorities, public organizations, legal entities and individuals to ensure the legal protection of human interests. and the citizen, society and the state, aimed at identifying, disclosing, suppressing and investigating crimes, exposing, prosecuting and punishing those responsible for their commission, as well as taking measures to eliminate the causes and conditions conducive to their commission, and preventing crimes.

Secondly, based on this definition, the fight against crime is primarily carried out at the domestic level, and, if necessary, it is its participants who become subjects of international cooperation.

Crime as a social phenomenon inherent in modern society is an inevitable evil against which the state, its law enforcement agencies, and civil society are constantly fighting [39, p. 37-38].

In recent decades, this social evil has acquired a special social danger, since it has become supranational in nature. Crime has gone beyond the territorial boundaries of sovereign states, has become international.

In Uzbekistan, the situation with various types of offenses related to transnational organized crime is not simple.

Despite the constant struggle against transnational organized crimes carried out by law enforcement agencies, new types of transnational crime are emerging that are of a high-tech nature: first of all, it is cybercrime, the crime of so-called legal entities (corporate crime), etc. Realizing this danger, the country's leadership is taking steps to adequately respond to the challenges of the modern era [40, p. 9].

At an expanded meeting of the General Prosecutor's Office of the Republic of Uzbekistan dated January 31, 2018, the President of the Republic of Uzbekistan emphasized that "... the main directions of state policy in the field of ensuring state and public security in the long term should be strengthening the role of the state as a guarantor of individual security, ... improving the normative legal regulation of the prevention and combating of crime, corruption, terrorism and extremism ... expanding

international cooperation in law enforcement" [41, p. 21-29].

Indeed, crime in its most dangerous variety – organized form – is reaching the international level, changing directions and methods of its activity.

The problem of combating transnational organized crime has practical and doctrinal significance. In our opinion, the following circumstances indicate the relevance of this study:

Firstly, one of the most important tasks of modern international legal science is seen in the development of evidence-based approaches, the development of proposals and recommendations for improving international legal regulation in the field of combating the most dangerous types of crimes and diagnosing the real state of combating crime in the Republic of Uzbekistan.

Secondly, the current trend of this struggle of the prosecutor's office is to counter the traditional types of transnational organized crime, timely identification of its new forms and varieties and adequate response by international legal and national legal means to these new forms of transnational crime.

But, emerging new forms of crime and their rapidly growing negative impact on the current international political situation, as well as the role, participation and experience of Uzbekistan in cooperation to counter these threats, in a legal perspective, are not covered enough, in our opinion.

Conclusion

Unresolved problems in this area provide grounds for their deeper study using modern scientific developments, revision of activities and transformation of international forms and methods of social and legal control, and finding, from a legal point of view, sound optimal ways for international cooperation in creating a system of anti-criminal security.

The general factual situation, which consists of crimes of various kinds – drug trafficking, computer crime, money laundering, illegal migration, human trafficking allows us to conclude that transnational organized crime, as a relatively common asocial phenomenon, is a criminal phenomenon of modern civilization at the beginning of the 21st century [42, p. 201].

At the same time, it can be concluded that two groups of causes of transnational organized crimes can be distinguished [43, p. 138]. The first group includes the general causes of crime, the second – the particular causes of transnational crimes committed by organized groups.

And also, based on the analysis of the various opinions of scientists expressed in the specialized literature, it is possible to formulate the concept of transnational organized crime, which is proposed to be understood as a socio-legal phenomenon, which is a consistent targeted system of criminal acts (active actions) of one or more criminal groups organized on on the basis of national, family, professional or other ties operating on the territory of several states for the purpose of committing offenses and making profit or other prohibited income.

Solving the problem of the general nature of the crimes included in the transnational organized crimes, we can conclude that the essence of these offenses is the criminal law prohibition of all anti-social acts that are associated with going beyond the national borders of states and are associated with the creation of cooperative criminal communities in different countries [44, p. 7].

If we take into account the subject composition of crimes covered by the concept of "transnational organized crime", then these are, first of all, individuals, as well as legal entities created by them for criminal purposes, but not

the states participating in international relations.

Forms of criminal activity also differ. For example, the types of crimes related to state terrorism should include acts of aggression, mercenarism, the use of measures of economic pressure, psychological pressure, political blackmail, and local military invasion [45, p. 12].

The types of crimes covered by the concept of "transnational organized crime" are narcoterrorism, illegal transportation, sale of nuclear weapons and substances, human trafficking, arms trafficking, intellectual property crimes and laundering of money and other property obtained illegally.

Our position on the question of the specific composition of the crimes of this group is as follows.

We must proceed from the fact that the first unifying feature of such crimes is the focus on obtaining economic super-benefits, advantages, profits. The second sign is the illegal nature of a number of forms and types of economic activities that bring economic profit (surplus profit). The third sign can be recognized as the trans-state nature of criminal activity occurring within several states.

Along with this, in our opinion, taking into account the theoretical justifications of foreign and domestic scientists in the works on the international cooperation of law enforcement structures, it is advisable to define the concept of "international cooperation of the prosecutor's office" as follows: "it is based on domestic legislation, as well as norms and principles of international law, joint coordinated activities of the prosecutor's office and authorized state bodies of other states and international organizations, aimed at solving the problems facing these bodies and requiring interstate cooperation in criminal cases.

This complex problem is partially solved using national criminal law norms of states. After all, if it is impossible to hold a person accountable under the norms of international criminal law, and at the same time, since the law does not have retroactive force, responsibility for the crime committed in it may be brought to criminal responsibility by that state if the internal (national) criminal law of the relevant state establishes responsibility for this crime [46, p. 149-151].

In conclusion, domestic (national) criminal law of states is an integral part of the legal framework for international cooperation in the field of combating crime. At the same time, it has sufficient originality and independence, reflecting the influence of international criminal law and, in turn, influencing it.

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