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**ISSUES OF IMPROVING CRIMINAL LAW MEASURES TO COMBAT
ILLICIT TRAFFICKING IN SUBSTANCES OF STRONG INFLUENCE**

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Abstract: The essay explores other nations' experiences battling the illicit trafficking of strong drugs and gives well-founded recommendations for enhancing national policy.

Keywords: strong agent, a specific type of strong agent, tropicamide, pregabalin, zaleplon, cyclopentholate, gabapentin, overseas experience, legislative improvement.

One of the primary goals of today's large-scale changes in our country's judicial and legal systems is to further liberalise and enhance criminal law. An examination of present criminal legislation as well as judicial and investigative practice reveals that there are issues in criminal law that have yet to be resolved. One of these issues is the actual application of the standard establishing criminal responsibility for the unauthorised circulation of strong-acting or hazardous chemicals (Article 251 of the Criminal Code). After all, changing this standard will boost the success of future crime prevention efforts.

Judicial and investigative practice have shown that storing strong-acting or toxic chemicals can be related to personal use, abrupt intended transfer, or usage as a means of committing another crime.

According to V.Yu. Usov, who has concentrated on this topic, the illicit trafficking of strong drugs is expanding year after year. This is due to a variety of variables, including the fact that the statute does not impose punishment for the illegal acquisition and storage of highly effective drugs without the intent to transmit.

In this regard, E.G. Shmeleva, who did study in this field, deleted the words "for the purpose of transfer" from part 1 of the analysed article and refused to apply the legislation of the Republic of Uzbekistan on the transfer of highly active or dangerous chemicals. In Part 2, he discusses establishing culpability.

Similarly, M.G. Ermakov emphasises that in the fight against such substances, regardless of the purpose of their transfer, it would be more effective to establish liability for the illegal preparation, acquisition, storage, transportation, and shipment of highly active or toxic substances, for which the words "for the purpose of transfer" should be removed from the disposition of Part 1 of the article.

E.G. Shmeleva and M.G. Ermakov's opinions pertain to Article 234 of the Russian Criminal Code, which prohibits the illegal trafficking of substances of strong action or poison for smuggling. This includes substances that are not narcotics or psychotropics, as well as the illegal manufacture, processing, acquisition, storage, transportation, or shipment of processing equipment for this purpose.

We believe it is difficult to totally agree with M.G. Ermakov. According to his idea, transferring and storing strong-acting or toxic drugs carry equal responsibility. This goes against the principle of justice enshrined in Article 8 of the Criminal Code, which states that the punishment or other measure of legal influence applied to a person guilty of committing a crime must be fair, that is, in accordance with the severity of the crime,

the degree of guilt, and the person's social danger.

After all, when strong-acting or dangerous drugs are conveyed, several individuals utilise them, and when the person consumes them, only their own life or health is harmed. As a result, the societal risk of injury to multiple people's lives or health is deemed high.

It should be mentioned that the number of persons exposed to strong-acting chemicals is rising on a daily basis, resulting in an increase in the unlawful circulation of these substances.

Our country's criminal law does not establish liability for the illegal preparation, acquisition, storage, possession, transportation, or shipment of strong-acting or toxic substances without the purpose of their transfer, which limits the possibility of achieving the expected results in the fight against the illegal circulation of such substances.

When researching the best practices of other nations in this respect, it was discovered that some of them have created responsibility for unlawful preparation, manufacturing, acquisition, and other activities, independent of whether the objective is to smuggle strong-acting or deadly chemicals.

In particular, Article 261 of the Criminal Code of Georgia (Illegal preparation, production, acquisition, storage, transportation, shipment or transfer of psychotropic substances, their analogues or powerful substances), storing, transporting or sending, as well as transferring such substances, narcotic drugs and strong non-psychotropic drugs without the appropriate permit, as defined in Article 248 of the Criminal Code of Latvia, or for the illegal preparation, acquisition under Article 354, Part 1 of the Bulgarian Criminal Code, which has a strong impact, or for manufacturing, obtaining, storing, alienating, or transferring toxic substances without proper authorisation, illegal production, preparation, possession of controlled substances (powerful substances) under Article 185 of the Hungarian Penal Code (crime related to performance enhancers), for use, distribution, supply, offer, prescription, Article 188 (crime of use of harmful substances) defines responsibility for the manufacture, possession, use, and distribution of hazardous chemicals.

It should be noted that, as a result of the reforms being implemented in this area in our country, the Law of the Republic of Uzbekistan dated October 5, 2024, No. LRUZ-971, establishes liability in Article 2512 of the Criminal Code and Article 563 of the Code of Administrative Offences for the illegal production, acquisition, storage, transportation, or shipment of substances of strong influence without the intention of transfer.

However, these laws only prohibit the illegal creation, purchase, storage, transit, or communication of a certain category of potent chemicals without the intent to transmit them. According to the Resolutions of the Cabinet of Ministers of the Republic of Uzbekistan dated September 27, 2019, No. 818 and October 4, 2024, No. 632, only five of the 79 active substances (tropicamide, pregabalin, zaleplon, cyclopentolate, and gabapentin) are included in the list of active substances of a special category. This precludes culpability for the illicit creation, purchase, storage, transit, or shipping of the other 74 strong-acting drugs without the intent to transmit them.

Taking the foregoing into account, it is recommended to create liability for the illegal manufacture, possession, storage, and other activities involving all sorts of strong chemicals that are not intended for transfer. Taking this idea into consideration, we believe that making essential adjustments and additions to the legislation will help to strengthen the efficacy of combatting this sort of crime.