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## ENSURING THE EXECUTION OF A PARTICULAR DISQUALIFICATION

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### ABSTRACT

*The comprehensiveness of the penitentiary system is central to achieving the goal of criminal punishment. In other words, no matter how perfect the type and system of punishment, if the mechanism of its application and execution is not implemented wisely, unfortunately, this punishment will remain ineffective. Deprivation of a certain right has a preventive character, which is clearly expressed as a punitive measure. The imposition of this penalty is mainly due to the need to prevent the recurrence of these crimes by persons who commit crimes related to the abuse of available opportunities in connection with their position or activities. It substantiates the relevance of the analysis of punishment in the form of deprivation of a particular right from the point of view of criminal law and criminal-executive law and the need to study it. This article reflects the specifics of punishment in the form of deprivation of certain rights in the criminal law of some foreign countries.*

**KEYWORDS:** *Punishment, Criminal Law, Rights, Code, Responsibility, Ban, Deprivation.*

### INTRODUCTION

The effectiveness of punishment depends in many respects not only on the appointment, but also on its timely and correct execution. Therefore, the analysis of the application of the sentence in question implies a study not only of its appointment but also of its execution.

At the same time, the Criminal Procedure Code of the Republic of Uzbekistan, adopted on April 25, 1997, as well as the Order of the Minister of Internal Affairs of the Republic of Uzbekistan No. 157 of July 27, 2017 "On deprivation of certain rights, correctional labor and on the basis of the "Instruction on the organization of the execution of punishments in the form of restriction of liberty and the procedure for exercising control over probationers."

Execution of a sentence of deprivation of a certain right shall be carried out in accordance with a court judgment which has entered into force. Execution of a sentence in the form of deprivation of a certain right, imposed in addition to the penalty in the form of deprivation of liberty, shall be carried out by the body executing the main sentence. The executive body shall send a copy of the sentence to the police of the place of residence of the convict on the day of release 20 days prior to the expiration of the main sentence or on the day of release if the convict is released on parole or his sentence is commuted to a lighter sentence.

The certificate of release of the convict must indicate that he has an additional sentence.

The Ministry of Internal Affairs of the Republic of Uzbekistan, the Main Department for the Prevention of Offenses, the Department for Supervision of Execution of Non-Imprisonment Punishments, the Ministry of Internal Affairs of the Republic of Karakalpakstan, the Main Department of Internal Affairs in Tashkent, regional police Departments of Crime Prevention, Departments and Units are responsible for overseeing the execution of non-custodial sentences.

Execution of the judgment shall be carried out by the divisions (subdivisions) of the law enforcement agencies at the place of residence of the convicts (hereinafter referred to as the Penitentiary Inspectorate). Penitentiary Inspectorate: registers convicts deprived of certain rights; immediately send a notification on the execution of the sentence to the administration of the enterprise, institution, organization where the convict works or to the authorized body that issued the permit to engage in a certain type of activity; checks the convict's compliance with the prohibitions specified in the sentence; At least once a quarter, the administration of the enterprise, institution, organization where the convict works, as well as the bodies authorized to revoke the permit for a certain type of activity, shall check the compliance with the requirements of the sentence and compile a certificate and attach it to the personal file together with other documents.; quarterly checks the database of persons who have committed administrative offenses of the MIA, IIBB and Operational Information Departments (divisions) of the MIA of the Republic of Karakalpakstan in order to determine whether offenders have committed offenses; if the convict is called up or enlisted in the military or alternative service, the inspection shall send a copy of the sentence to the Department of Defense or to the place where the convict is serving; when it is determined that the requirements of the sentence are not complied with by the administration of the enterprise, institution, organization or the authority authorized to revoke the permit to engage in a particular type of activity, or the convict, take appropriate measures in accordance with the law. The court's final judgment is the basis for the convict's account. Copies of sentences received from the court, places of deprivation of liberty shall be registered with the body of internal affairs and handed over to the penitentiary inspection on the instructions of the head of the body of internal affairs. A copy of the sentence shall be recorded in the record book on the day it is received by the Penitentiary Inspectorate and a personal collection file shall be opened for the convict. The serial number of the personal collection folder must correspond to the serial number of the convict recorded in the record book. The sentencing court shall be immediately notified of the registration of the convict by the Penitentiary Inspectorate. Notification of the registration of conscripts to the relevant district (city) department of defense is sent to the Department of Migration and Citizenship of the district (city) police, filling out a guard sheet to timely notify the convict of deregistration.

When the Department of Migration and Citizenship of the district (city) police intends to deregister from the place of residence of the convict, he shall immediately notify the Inspectorate for the Execution of Sentences and make an appropriate entry in the guard sheet.

During the period of registration of convicts coming from places of deprivation of liberty, if their reference contains a note on additional punishment in the form of deprivation of a certain right, it shall be immediately notified to the Penitentiary Inspectorate.

Upon receipt of the notification issued by the Department of Migration and Citizenship of the District and City Police, the Officer of the Penitentiary Inspectorate shall send a request to the appropriate place of deprivation of liberty to obtain a sentence from the place of deprivation of liberty.

The administration of the enterprise, institution or organization where the convict works shall, within 3 days from the date of receipt of the notification from the Penitentiary Inspectorate, release the convict from the position or type of work deprived of the right to occupy and engage in it. or in the event that the convict is transferred to another job or the employment contract concluded with him is terminated, he shall notify the Penitentiary Inspectorate.

Within 3 days from the date of receipt of the notification from the Penitentiary Inspectorate, the competent authority issuing a permit to engage in a certain type of activity shall revoke the permit for the prohibited activity, withdraw the relevant document and notify the Penitentiary Inspectorate.

So far, the responsibility of the convict for refusing to serve this type of punishment has not been provided. The effectiveness of any type of punishment depends on ensuring its execution by legal liability measures, clearly regulating the legal consequences of evasion of punishment.

The jurisprudence demonstrates an increase in sentencing in the form of deprivation of a particular right and, as a result, an increase in the number of people convicted of this type of punishment. In this regard, the issue of liability for evasion of the type of punishment we are analyzing is the most pressing and requires a timely legal solution.

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