

DOI: <https://dx.doi.org/10.51788/tsul.jurisprudence.3.2./NLCL9338>
UDC: 343.98(045)(575.1)

METHODOLOGY OF INVESTIGATION OF HUMAN TRAFFICKING

Axmedova Guzalxon Utkurovna,

Associate Professor,
Department of Criminalistics and Forensic Examination,
Tashkent State University of Law,
DSc in Law
ORCID: 0000-0002-3709-4245
e-mail: guzal_nc@yahoo.com

Sobitova Umidaxon Murod qizi

Master's Student,
Tashkent State University of Law
ORCID: 0000-0003-1257-0599
e-mail: sobitova.umidakhon@gmail.com

Abstract. *In this scientific article, referring to the Law of the Republic of Uzbekistan "On combating human trafficking", the concept of "human trafficking" and the directions of state policy in the field of combating human trafficking is considered. Thus, the article states that human trafficking is a serious violation of human rights, all efforts to provide assistance and protection should be aimed at restoring the rights of victims of human trafficking and preventing their further violation. At the same time, victims should receive protection and assistance without discrimination: it is unacceptable to treat them unfavorably or with prejudice because of their experience in a situation of human trafficking or to restrict their rights. In addition, the moments concerning the identification of victims of human trafficking, sources of information about planned or committed crimes, forms of investigation, typical investigative versions and situations, algorithms, tasks and planning of the investigation are analyzed. The differences between human trafficking and migrant smuggling are also studied and examples related to high-profile criminal cases on this issue from the experience of Kazakhstan are given, including an example related to the operation "Blue Sky", in which thousands of people participated, to investigate the smuggling of migrants.*

Keywords: *identification, recruitment, sexual exploitation, pimp, operation, importation of migrants, mechanism of crime.*

ODAM SAVDOSINI TERGOV QILISH METODIKASI

Ahmedova Guzalxon Utkurovna,

Toshkent davlat yuridik universiteti
Kriminalistika va sud ekspertizasi
kafedrası dotsenti, yuridik fanlar doktori

Sobitova Umidaxon Murod qizi,

Toshkent davlat yuridik universiteti
magistranti

Annotatsiya. Ushbu ilmiy maqolada O'zbekiston Respublikasining "Odam savdosiga qarshi kurashish to'g'risida"gi Qonuniga tayanib, "odam savdosi" tushunchasi va odam savdosiga qarshi kurashish sohasidagi davlat siyosati yo'nalishlari ko'rib chiqilgan. Shuningdek, odam savdosi inson huquqlarining jiddiy buzilishi ekanligi, yordam va himoya qilish uchun barcha harakatlar odam savdosi qurbonlarining huquqlarini tiklash va ularning keyingi buzilishining oldini olishga qaratilgan bo'lishi kerakligi ta'kidlangan. Shu bilan birga, jabrlanuvchilar kamsitilmasdan himoya va yordam olishlari kerakligi, odam savdosi holatida bo'lish tajribasi yoki huquqlari cheklanganligi sababli ularga beparvolik yoki xurofot bilan munosabatda bo'lish mumkin emasligi asoslangan. Bundan tashqari, odam savdosi qurbonlarini aniqlash, rejalashtirilgan yoki sodir etilgan jinoyatlar to'g'risidagi ma'lumot manbalari, tergov shakllari, odatdagi tergov versiyalari va holatlari, algoritm, vazifalar va tergovni rejalashtirish bilan bog'liq fikrlar tahlil qilingan. Odam savdosi va muhojirlarni noqonuniy olib kirish o'rtasidagi farqlar o'rganilib, Qozog'iston tajribasidan kelib chiqqan holda, ushbu masala bo'yicha yuqori darajadagi jinoiy ishlarga doir misollar, shu jumladan, muhojirlarning noqonuniy olib kirilishini tergov qilish bilan bog'liq, minglab odamlar ishtirok etgan "Moviy osmon" («Bluesky») operatsiyasi keltirilgan.

Kalit so'zlar: identifikatsiya, yollash, jinsiy ekspluatatsiya, qo'shmachi, operatsiya, muhojirlarni olib kirish, jinoyat mexanizmi.

МЕТОДИКА РАССЛЕДОВАНИЯ ТОРГОВЛИ ЛЮДЬМИ

Ахмедова Гузалхон Уткуровна,
доктор юридических наук, доцент
кафедры «Криминалистика и судебная экспертиза»
Ташкентского государственного
юридического университета

Собитова Умидахон Мурод кизи,
магистрант Ташкентского государственного
юридического университета

Аннотация. В данной научной статье, ссылаясь на Закон Республики Узбекистан «О противодействии торговле людьми», рассмотрены понятие «торговля людьми» и направления государственной политики в сфере противодействия торговле людьми. Тем самым в статье определено, что торговля людьми является серьезным нарушением прав человека, все усилия по оказанию помощи и защиты должны быть направлены на восстановление прав жертв торговли людьми и предотвращение их дальнейшего нарушения. При этом жертвы должны получать защиту и помощь без дискриминации, недопустимо обращаться с ними неблагосклонно, с предубеждением или ограничивать в правах из-за их опыта пребывания в ситуации торговли людьми. Кроме этого, проанализированы аспекты касательно идентификации жертв торговли людьми, источников информации о планируемых или совершенных преступлениях, форм расследования, типичных следственных версий и ситуаций, алгоритма, задач и планирования расследования. Также изучены различия между торговлей людьми и незаконным ввозом мигрантов и приведены примеры, связанные с громкими уголовными делами по данному поводу из опыта Казахстана, в том числе пример по расследованию незаконного ввоза мигрантов, связанный с операцией «Голубое небо» («Bluesky»), в которой участвовали тысячи людей.

Ключевые слова: идентификация, вербовка, сексуальная эксплуатация, сутенер, операция, ввоз мигрантов, механизм преступления.

Introduction

Human trafficking is considered one of the most pressing problems and poses a real threat to the security of society, the state and the entire world community. As noted, this is a well-established transnational illegal activity that brings huge profits to criminals and occupies a leading position in the criminal world in terms of profitability. Moreover, the world community pays serious attention to the problem of human trafficking. However, the topic of identification of victims of human trafficking continues to cause discussion.

Moreover, the identification of victims of human trafficking is not properly regulated by international treaties, which raises controversial issues. Many representatives of law enforcement agencies consider the topic of identifying victims of human trafficking to be superfluous and not within their competence, arguing that their work on the qualification of crimes related to human trafficking is sufficient.

As Professor A.V. Barkov emphasizes, human trafficking tramples on a person's personal freedom, deprives him of the opportunity to independently determine his place of residence, occupation, and often his fate, turning him into a slave, into a commodity, humiliating the honor and dignity of the individual [1, p. 2].

Materials and methods

The methodological basis of the scientific article consists of formal-legal, structural functional analysis method, system-logical, comparative-legal, survey method, statistical research methods. Thanks to these research methods, the issue related to the methodology of the investigation of human trafficking has been studied.

Research results

In order to properly understand the crime of human trafficking and other crimes related to it, the international community has adopted a number of fundamental treaties.

In this regard, the fight against human trafficking in the world is based on The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (adopted in Palermo on 15.11.2000) and The Council of Europe Convention on Action against Trafficking in Human Beings (concluded in Warsaw on 16.05.2005). On the basis of these international treaties, national legislation is being created to combat human trafficking in most countries of the world.

In accordance with the *Law of the Republic of Uzbekistan "On Combating Human Trafficking"*, article 3 of which specifies the basic concept: *human trafficking* is the recruitment, transportation, transfer, harboring or receiving of people for the purpose of their exploitation by the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or vulnerability of position, or by bribery in the form of payments or benefits to obtain the consent of a person controlling another person. Exploitation of people means exploitation of prostitution of other persons or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or removal of human organs and/or tissues.

Nevertheless, referring to article 5 of the above-mentioned Law, it can be added that the directions of state policy in the field of combating human trafficking are such as:

- implementation of measures aimed at countering human trafficking, including the elimination of the causes and conditions conducive to human trafficking;
- implementation of legal, political, socio-economic, medical, preventive, informational measures aimed at preventing human trafficking, including raising legal awareness and legal culture of the population;
- timely detection and suppression

of human trafficking, elimination of its consequences, as well as ensuring the principle of inevitability of responsibility of traffickers;

- state support, including social protection of victims of human trafficking, alleged victims of human trafficking;

- development and promotion of activities for conducting research, conferences, training seminars and round tables, as well as activities for professional training, retraining and advanced training of employees of state bodies engaged in activities in the field of combating human trafficking;

- international cooperation in the field of combating human trafficking.

First of all, it should be mentioned that timely and correct identification of victims of human trafficking is essential for the protection and rehabilitation of victims. In addition, it is important for the effective prosecution of traffickers and pimps. After all, the identification of potential victims can disrupt the process of human trafficking even before it begins, and thereby prevent the exploitation of vulnerable persons in the near future.

It should be noted that the identification of the victim is crucial for the successful investigation of cases of human trafficking. If there are no procedures (mechanisms) for identifying victims, then human trafficking and related crimes are not properly documented and, accordingly, are not prosecuted in the future. The lack of generally accepted identification criteria and approaches to identifying and redirecting victims hinders both the effective criminal prosecution of traffickers and pimps, as well as the protection, rehabilitation of injured people, restoration of their rights and legitimate interests.

The world's best practices in combating human trafficking are based on an approach based on the primary protection of human rights, in which identification is

carried out even in relation to a potential victim when there is initially doubt about the reliability of the events described by a person [1, pp. 63-64].

So, as part of the study of the methodology for investigating crimes of human trafficking, we will consider the main aspects related to the sources of information about planned or committed crimes, the directions (forms) of investigation, as well as the activities of law enforcement agencies to investigate crimes related to human trafficking.

In this regard, sources of information about human trafficking can be data obtained from victims themselves, witnesses in cases of human trafficking or their relatives, the public, embassies or consulates, law enforcement officers, international law enforcement organizations and law enforcement agencies of other states, persons detained by law enforcement agencies for various kinds of offenses and crimes, as well as those in places of deprivation of liberty, persons providing paid sexual services, working in the field of entertainment and recreation, including employees of hotels, massage parlors, saunas, bars, clubs; information bases of state bodies and institutions; local governments; information of various organizations (for example, non-governmental organizations that provide assistance to vulnerable categories of the population; messages in the media; advertisements in newspapers, magazines, on television about the provision of services for free pastime; various Internet resources (for example, websites, social networks, actively offering acquaintance, communication, advertising a certain lifestyle, worldview, prosperity, agitating for joining certain organizations; materials of investigation in cases of other crimes.

Nevertheless, when developing operational data on human trafficking, various sources

of information should be used, including the names and dates of birth of suspects, their places of residence, friends, acquaintances and other persons with whom the suspects have the most frequent contacts, what is the role and degree of participation of suspects in the process of human trafficking, the places occupied by them in the criminal hierarchy, and their influence in the criminal environment, what kind of transport and means of communication they use, the availability of bank cards, accounts and other points.

Moreover, referring to statistics, it can be noted that the sources of initial information that serves as a reason for initiating a criminal case on human trafficking are statements and messages from the victim (22%); close relatives and relatives (35%); international or public organizations (5%); mass media (3%); a report of law enforcement officers on the direct detection of signs of a crime (35%), including the detection of signs of crimes under consideration by law enforcement agencies in the process of working on other materials (3%) (during the detection of related crimes) [2, p. 20].

In turn, it is worth mentioning the views of scientists regarding the transnational nature of the crime we are considering. According to the data provided by D. Albaniz, three-quarters of victims of human trafficking are not citizens of the countries in which they are found. He believes that most of the criminal organizations involved in human trafficking have a transnational nature. Professors E.I. Chekmezova and Y.S. Pestereva, adhering to a different approach, give a different opinion that contradicts the above view. According to their data, the number of victims of international human trafficking is estimated at 600-800 thousand people per year, while the overall estimate, including trafficking in persons within countries, is 2-4 million victims. In view of this, despite this contradiction, it is

impossible not to agree that the number of victims of international trade is high in both cases [4, p. 52].

In addition, the reasons why transnational criminal organizations can engage in human trafficking can be very different, and they are not limited to just making a profit. At the same time, criminal proceeds can be used to finance terrorism, guerrilla warfare, insurgent movements and rebellions. Some groups use victims of human trafficking as suicide bombers [5, p. 3].

It is important to analyze the differences between human trafficking and migrant smuggling (*see table*). In general, there are *three important differences*:

1) *Consent*: in the case of illegal importation of migrants, although it is often carried out in dangerous or undignified conditions, we are talking about migrants who have consented to the illegal importation. On the other hand, victims of human trafficking either never consented to this, or, if they initially consented, their consent lost all meaning due to forced, deceptive or malicious actions of traffickers.

2) *Exploitation*: The smuggling of migrants ends with the arrival of migrants to their destination, whereas human trafficking is associated with the further exploitation of the victim. In practical terms, victims of human trafficking, as a rule, also suffer more and need protection from re-victimization than smuggled migrants.

3) *Transnational in nature*: the smuggling of migrants is always transnational, while human trafficking may not be transnational in nature. Human trafficking can occur regardless of whether the victims are transported to another state or only moved from one place to another within the same state [6, p. 17].

Therefore, it follows that it is necessary to correctly understand the differences between these two types of activities. However, confusion between the two often

leads to the fact that human trafficking is seen as an immigration issue, rather than a human rights and broader policy issue that requires a broader political response at the government level. This difficulty was constantly emphasized and was again noted in 2010 in the US report on human trafficking [8].

It is advisable to give a real example related to the UK: Operation “Blue Sky”, in which thousands of people participated, was the largest investigation of the smuggling of migrants undertaken by the Metropolitan Police. The turnover from the illegal importation of migrants was estimated in millions of pounds, but the police could not name the exact number of people smuggled into the UK. The illegal immigrants brought into the UK were mainly from Turkey, and some from Iraq. At the same time, 400 potential illegal immigrants were identified as a result of investigations. As it turned out, the victims were transported in deplorable conditions on planes, trains, as well as in trucks and cars to hide from customs. In one case, French border police found four small children suffocating in a van. Often, a secret metal compartment welded to the bottom of trucks and similar to a “coffin” was used to transport “customers”. The point of placing the compartment as low as possible was to try to avoid detection by the police by methods aimed at detecting evidence of breathing and heartbeat. Illegal immigrants, including women, at least one of whom was pregnant at the time, and several children, were often forced to go without food and water for several days. The illegal importation of migrants was carried out by a network of Turkish citizens, and the three leaders of the network considered themselves untouchable to the law. They used 39 mobile phones to manage the organization and avoid detection. As a result, investigators from the UK and 21 European countries participated in the

operation, and more than 60 network-related arrests were made across Europe. Law enforcement officials from France, Italy, the Netherlands, Belgium and Denmark, as well as Europol, contributed to the investigation. The judge said that the network considered people “goods rather than people” [7, pp. 54-55].

In particular, the most important task in carrying out operational search activities is to establish, in other words, to identify the victims of human trafficking (victims), traffickers and persons assisting them; means of advertising or methods of involvement, recruitment; premises used and other places for the implementation of criminal intentions (cafes, bars, pubs, hotels saunas); channels, means and methods of transportation of victims; criminal connections, contacts and means of communication; ramifications of criminal networks; financing systems.

At the same time, the strategy of conducting operational search activities should reflect geographical, structural features, namely the state of origin (recruitment and export); the state of transit; the state of destination (reception and operation) and commercial aspects of crimes related to human trafficking: advertising (an element of the recruitment or exploitation process); rental of premises (places of meetings, brothels, enterprises, factories); transportation (obtaining identity cards and travel documents, organization of transit); information exchange (organization of recruitment and exploitation); financial transactions [8, 114-115].

It is also worth analyzing the nuances regarding *the models of the mechanism of crimes* related to human trafficking: *model No. 1 (complex mechanism of crime)*: pre-planned trafficking in persons committed by a person or group of persons, including recruitment – transfer – reception – concealment – transfer – reception –

transportation – transfer – reception – concealment – exploitation; *model No. 2 (a simplified mechanism)*: trafficking (acquisition) of people, which includes only recruitment – transportation – reception – exploitation. This scheme can be organized and implemented by two people.

Ultimately, the significant elements of the mechanism of crimes related to human trafficking are the activity of the subject of the criminal event (directly the performer, organizer, instigator, recruiter, carrier); the complex (set) of actions, deeds and behavioral acts of the victim of the crime (women in order to force them to engage in prostitution, as well as other persons in order to use their slave labor); a complex (set) of actions, deeds and other movements of persons who found themselves indirectly connected with a criminal event (photographers, travel agency workers, ad carriers, friends, acquaintances); individual elements of the situation used by participants in a criminal event (the place of residence of the victim, the conditions in which he was held, types of coercion). In this case, the points contained in the initial, main and final stages of each of the mechanisms of human trafficking are considered [2, p. 17].

In addition, the signs inherent in this type of crime mean that traffickers are forced to engage in one or more types of activities. Evidence collection is possible at any stage of the human trafficking process. Employees of investigative and operational units can make full use of these opportunities to detain traffickers, along with the seizure of their assets obtained as a result of criminal activity, as well as to rescue victims.

In turn, *the directions (forms)* of the implementation of methods aimed at combating human trafficking include:

1) investigation of the committed crime based on the appeal of the victim (victim of human trafficking) to law enforcement agencies;

2) investigation of the crime of human trafficking on the basis of information obtained by the operational search.

Among *the typical investigative situations*, the priority is mainly the following:

The first situation: a statement was received that a person who left for another city or abroad does not call, does not write (missing). Relatives have suspicions that he was enslaved, since some time ago the victim found an opportunity to report that he was in a difficult situation (35% of the cases studied).

The second situation: the victim escaped from the criminals and turned to a statement to law enforcement agencies or a statement received from a non-governmental organization, about where the victim of human trafficking is located (27% of the cases studied).

The third situation: the victim was discovered during preventive measures, during a raid, including when working with materials unrelated to human trafficking (3% of the cases studied).

The fourth situation: operational information about human trafficking was received (35% of the cases studied) [3, p. 18].

Investigative versions are actions related to 1) trafficking in persons for the purpose of sexual exploitation; 2) trafficking in persons for other purposes (for labor exploitation, organ and tissue transplantation); 3) other transnational crime (illegal actions aimed at employing citizens abroad – illegal migration); 4) “internal” sexual exploitation (use of prostitution; creation of conditions for prostitution; involvement in prostitution; coercion to continue prostitution).

It is important to analyze *the algorithm, planning and tasks of the investigation*. *The investigation algorithm* looks like this:

- the statement of a victim of human trafficking about a crime or the direct detection by the body of inquiry of signs of a crime (conducting an appropriate check);

- taking the necessary measures to consolidate the traces of the crime, carrying out operational search and urgent actions in order to identify the person who committed it, and preventing and suppressing the crime;
- initiation of a criminal case (signs of a crime or data on the composition of the crime and the objective side of the act);
- notification of the applicant about the initiation of a criminal case;
- creation of an investigation team (if necessary).

Planning of the investigation, the following: interrogation of the victim of human trafficking; examination of the victim (if necessary, with a state of health, signs of violence, etc.); resolution on the appointment of a forensic medical examination; resolution on the appointment of a forensic psychological examination; conducting detailed interrogations of witnesses; conducting investigative actions; reclamation, seizure or receipt access to things, objects, documents, information [4, p. 302].

Tasks in the investigation of human trafficking cases:

- Identify the victim;
- Establish the age of the victim;
- Confirm the victim's testimony about what happened to him;
- Establish how long the victimization of the victim lasted;
- Identify injuries, disorders or diseases that may be associated with the sale and/or exploitation of the victim;
- Establish the limitation period for causing harm to the victim;
- Establish the victim's connection with a specific object (terrain, vehicle);
- Establish the duration of victimization of the victim;
- Prove that a particular person subjected the victim to physical and (or) sexual violence;
- Identify narcotic (psychotropic) drugs or alcohol administered to the victim or taken by him.

Guided by the Law of the Republic of Uzbekistan "On operational investigative activities" and the Criminal Procedural Code of the Republic of Uzbekistan, *special operational investigative measures and investigative actions* carried out for the disclosure and investigation of crimes related to human trafficking should be particularly noted:

- introduction into the criminal environment and (or) imitation of criminal activity;
- controlled delivery;
- control purchase;
- monitoring of a suspected trafficker or a place (monitoring of a specific place to record the movement of suspects, their contacts, events in a certain place using special technical means);
- penetration and examination of non-residential premises or other possession of persons suspected of human trafficking in order to confirm information;
- seizure of postal and telegraph items and their inspection and (or) seizure (inspection, copying or receiving samples);
- listening to negotiations;
- getting information about connections between subscribers and subscriber devices;
- removing information from computers, servers and other devices;
- audio, video monitoring of a person or place (recording and processing of a conversation or other sounds, movements, actions);
- obtaining samples for comparative research in order to produce expertise.

Analysis of research results

As a result of the research, criminal business of this kind and counteraction to human trafficking are characterized by the following characteristic features: 1) methods and ways of committing crimes vary depending on the counteraction measures used; 2) in most cases, victims of traffickers are unable or unwilling to

report cases of exploitation for a number of reasons, including ignorance of their rights, fear of revenge on the part of traders, fear of being punished for being illegally in the territory of the destination country; 3) in most cases, the main type of evidence is the testimony of victims, who, as a rule, do not want to cooperate with law enforcement agencies; 4) the corruption of some law enforcement officials contributes to countering the investigation of this type of crime; 5) the imperfection of criminal and migration legislation, which does not allow to effectively investigate this category of criminal cases and protect victims, including those brought from other countries [9, p. 103].

For a comprehensive analysis, we will give examples from high-profile criminal cases related to human trafficking from the experience of the Republic of Kazakhstan. *The first example* is related to a pimp who sent young Kazakh women to China. A 34-year-old resident of Taldykorgan deceived the girls by offering them a job in China, which actually turned out to be prostitution. Offering a job as a nanny or a hotel employee, Sabyrbai traveled with the girls to China, where he handed them over to his accomplices. Law enforcement agencies caught the criminal thanks to the operation "Stop Traffic", which was organized as a preventive measure against human trafficking.

The second example is connected with the victim of the "Minnow slaveholders". Nesibeli Ibragimova went to Moscow to work in a grocery store in the Golyanovo district in 2016. At the airport, she was met by the owner of the store, Zhansulu Istambekova, who took the phone, documents and other valuables from Nesibeli "for safekeeping". During six months of working in the store, Nesibeli was physically abused, she was fed spoiled food and water, forced to work 20 hours a day, for which they did not pay

the promised money. She slept on the tiled floor in the store's back room with other prisoners, they were not allowed to leave the store, talk to customers. In December 2016, noticing that the hostess left the door open, Nesibeli ran away, she was met on the road by a girl who turned out to be the volunteer organization "Alternative", which opposes human trafficking. The members of the organization provided Nesibeli with clothes and food and helped her return to Kazakhstan [10].

Conclusions

Summarizing the above, it should be concluded that *firstly*, identification is a very important step in the implementation of national legislation on combating human trafficking, as well as in ensuring the implementation of international treaties ratified by the Republic of Uzbekistan. This step will further ensure guaranteed access for both victims of human trafficking and citizens who may have suffered from human trafficking or related crimes to assist in state institutions, public and international organizations, and will also contribute to the inevitability of punishment for traffickers and pimps. *Secondly*, as it was found out, human trafficking is the recruitment, transportation, transfer, concealment or receipt of people for the purpose of their exploitation by the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or vulnerability of position, or by bribery in the form of payments or benefits to obtain the consent of a person, controlling another person. *Thirdly*, the reasons why transnational criminal organizations can engage in human trafficking can be very different, and they are not limited to just making a profit. Finally, two models of the mechanism of crime are distinguished: the model of a complex mechanism of crime and the model of a simplified mechanism

of crime. Thus, victims of human trafficking and citizens who may have suffered from human trafficking or related crimes should be provided with full and comprehensive assistance, of course, such assistance should be provided to them only with their consent. Therefore, it is worth concluding

that any adult has the right to make an independent decision regarding his life. This principle should always be taken into account by competent specialists, recognizing that the victim is always better aware of his needs and special life circumstances.

Table

Differences between human trafficking and migrant smuggling
(according to international law)

Exploitation

<i>Illegal importation of migrants</i> ↓ <i>Lack of exploitation</i>	The smuggling of migrants is carried out by persons who facilitate people's illegal entry into the country. Persons engaged in illegal importation are paid (usually in advance) remuneration for their services, which means that the relationship between them and migrants simply ends as soon as these persons have rendered their agreed service.
<i>Human trafficking</i> ↓ <i>Exploitation</i>	Human trafficking is carried out by persons who benefit from the exploitation of victims. Victims may be sold at some point before exploitation begins at the final destination, but the element of trafficking remains because victims are bought for exploitation purposes.

Approval

<i>Illegally imported migrants</i> ↓ <i>Approval</i>	Illegally imported migrants give their consent to illegal importation. This does not mean that in the process of illegal importation, other crimes related to threatening actions of persons engaged in their illegal importation cannot be committed against them.
<i>Victims of human trafficking</i> ↓ <i>Lack of approval</i>	Victims of human trafficking either never give their consent (in cases involving abduction or the use of force), or first give their consent (in such cases, their consent loses all meaning as a result of misleading or cruel actions of their traffickers).

Transnational nature

<i>Illegal importation of migrants</i> ↓ <i>It is always transnational in nature</i>	The illegal importation of migrants is always transnational in nature: borders are crossed illegally.
<i>Human trafficking</i> ↓ <i>It can also be carried out within the country</i>	Trafficking in human beings is not always transnational in nature: it can take place regardless of whether the victims are transported to another country or to another place in the same country. In cases related to transnational human trafficking, borders can be crossed legally [15, p. 10].

REFERENCES

1. Emelyanov V.V. Methodological recommendations for the identification of victims of human trafficking. 87 p.
2. Fakhrutdinov R.R. Methods of investigation of human trafficking. Abstract of PhD thesis. Chelyabinsk, 2011, 26 p.

3. Ishchenko E.P. Criminalistics: A course of lectures. Moscow, KONTRAKT Law Firm; AST-Moscow, 2007. 416 p.
4. Chekmezova E.I. Human trafficking: criminal law and criminological aspects. Omsk Law Academy, 2016, 96 p.
5. Shelley L. Human trafficking: a global perspective. Cambridge, Cambridge University Press., 2010.
6. A set of methodological manuals on combating human trafficking. Global Program to Combat Human Trafficking. United Nations Office on Drugs and Crime, Vienna. The United Nations. New York, 2006, 252 p.
7. Human Trafficking Report, 2010. Available at: www.state.gov/j/tip/rls/tiprpt/2010 (accessed 03.03.2023).
8. Typological approach in criminal proceedings on human trafficking. Scientific and practical manual. Ed. G.K. Smirnov. Moscow, UNITY-DANA Publ., 2009, 143 p.
9. OSCE Reference Manual on Police Training: Human Trafficking. DTU/OSWPD, OSCE, 2013, vol. 12, 209 p.
10. Osipova E.V. The use of situational modeling in the analysis of criminal activity related to human trafficking. *Bulletin of the Baltic Federal University named after I. Kant*, 2014, iss. 9, pp. 102–109.
11. The most high-profile cases of human trafficking in Kazakhstan. Available at: <https://the-steppe.com/razvitie/samye-gromkie-sluchai-torgovli-lyudmi-v-kazahstane> (accessed 03.04.2023).
12. First aid manual for use by law enforcement officers who are the first to respond to cases of human trafficking. United Nations Office on Drugs and Crime. Global Initiative to Combat Human Trafficking. Electronic ed. 38 p.
13. Osipova E.V. The use of situational modeling in the analysis of criminal activity related to human trafficking. Scientific article. *Bulletin of the Baltic Federal University named after I. Kant*, 2014, iss. 9, pp. 102–109.
14. The most high-profile cases of human trafficking in Kazakhstan. Available at: <https://the-steppe.com/razvitie/samye-gromkie-sluchai-torgovli-lyudmi-v-kazahstane> (accessed: 03/04/2023).
15. Olimpiyev A. Yu. Metodika rassledovaniya ugovolnykh del o trgovle lyud'mi [Methods of investigating criminal cases on human trafficking]. *Bulletin of the Moscow University of the Ministry of Internal Affairs of Russia*, 2008, no. 12. Available at: <https://cyberleninka.ru/article/n/metodika-rassledovaniya-ugolovnyh-del-o-torgovle-lyudmi>

YURISPRUDENSIYA

HUQUQIY ILMIY-AMALIY JURNALI

2023-YIL 2-SON

VOLUME 3 / ISSUE 2 / 2023

DOI: 10.51788/tsul.jurisprudence.3.1.

BOSH MUHARRIR:

Xodjayev Baxshillo Kamolovich

Ilmiy ishlar va innovatsiyalar bo'yicha prorektor, y. f. d., dotsent

BOSH MUHARRIR O'RINBOSARI:

Ikrom Ergashev

Ilmiy boshqarma boshlig'i, yuridik fanlar bo'yicha falsafa doktori, dotsent

Mas'ul muharrir: N. Ramazonov

Muharrirlar: Sh. Jahonov, Y. Mahmudov, Y. Yarmolik,
F. Muhammadiyeva, Sh. Yusupova

Musahhih: M. Patillayeva

Texnik muharrirlar: U. Sapayev, D. Rajapov

Tahririyat manzili:

100047. Toshkent shahar, Sayilgoh ko'chasi, 35.

Tel.: (0371) 233-66-36, 233-41-09.

Faks: (0371) 233-37-48.

Veb-sayt: www.tsul.uz

E-mail: lawjournal@tsul.uz

Obuna indeksi: 1387.

Jurnal 29.04.2023-yilda tipografiyaga topshirildi.

Qog'oz bichimi: A4. Shartli 21,4 b.t. Adadi: 100.

Buyurtma raqami: 19.

TDYU tipografiyasida chop etildi.