



The Essence of the Concept of Terrorism and Extremism and the Legal Basis for Fighting Against Them

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Abstract

This scientific work provides information about the essence of the concept of terrorism and extremism and the legal basis for fighting against them.

Keywords: *Terrorism; Children Trafficking; Slavery; Extremism; Fundamentalism; Separatism; Terrorist Activities; Women Trafficking*

Introduction

“What is terrorism, extremism, separatism, fundamentalism?” an appropriate query arises.

Article 2 of the Anti-Terrorism Law, adopted on December 15, 2000 by the Oliy Majlis of the Republic of Uzbekistan, explicitly defines the “Basic Concepts” and terms and conditions related to terrorism.

Particularly, “Terrorism—in order to achieve political, religious, ideological, and other goals, endangering life and health, causing the risk of destruction (damage) of property and other material objects” and threatening the state, international organization, individual, or legal entity with the intention of compelling to commit or refrain from committing certain actions, complicating international relations, violating the sovereignty and territorial integrity of the state, undermining the sovereignty and territorial integrity of the state, undermining the sovereignty and territorial integrity terrorism has been demonstrated to be the substance of violence, threats of violence, and other criminal acts.

Terrorist actions include seizing or holding hostages, assassinating state or public figures, residents, representatives of national, ethnic, religious, and other groups, foreign countries and international organizations, occupying and damaging state or public objects, and utilizing destruction, explosions, and arson. Using or threatening to use explosive devices, radioactive, biological, explosive,

chemical, or other poisonous substances; seizing, transporting, damaging, and destroying land, water, and air vehicles; causing panic and disturbances in crowded places and during public gatherings; and committing crimes of the nature of terrorism in the manner of spreading by any means and methods by causing accidents to the life and health of the population, property of individuals or legal entities; are all considered to be terrorism.

“Terrorist activity consists of organizing, planning, preparing, and carrying out a terrorist act, inciting a terrorist act, forming a terrorist organization, recruiting, training, and arming terrorists, as well as financing and providing them with material and technical aspects”.

According to the Russian lawyer Yu. M. Antonia, four characteristics distinguish terrorism from other crimes:

1. Terrorism is characterized by the commission of a hazardous criminal act or by the threat to commit such an act. The social danger posed by such a criminal act is evident, and its occurrence inspires dread in everyone. Article 155 of the Civil Code of the Republic of Uzbekistan addresses these circumstances;
2. Inspiring panic and fear, depressing the spirit, and causing significant unrest. Acts should only be considered terroristic if they are intended to instill fear and panic;
3. It is demonstrated by the commission of the illicit act in the presence of the majority of the public. In general, secrecy is not regarded as a requirement for the majority of crimes;
4. Terrorism, the use of hazardous force in general, although it is directed at a person or property, is intended to spiritually affect other people (groups of people, representatives of the government, individuals).

In the investigation of crimes related to religious extremism and terrorism by all law enforcement agencies, it is crucial not only to solve the crime but also to determine the circumstances that led to its commission and to take preventative measures.

Consequently, if he sincerely repents and confesses to the crime he committed and applies to the investigation and inquiry agencies, Article 155, Part 4, Article 159, Part 4 and Article 244–2 of the Criminal Code of the Republic of Uzbekistan are released from liability in accordance with the requirements of part 3 of Article 155.

Prior to applying these substances, the requirements of the Decree of the President of the Republic of Uzbekistan dated September 6, 2000 and the joint application instructions must be followed.

The term “extremism” originates from the Latin language and denotes the endorsement of radical concepts and actions, as well as the backing of extreme methods.

The term “religious extremism” encompasses a wide range of interpretations and implications. Extremist individuals can be observed throughout various religious traditions, including Buddhism, Christianity, and Islam. The term “extremism” is widely regarded by scholars as a political construct. The political dimension of this phenomenon pertains to the objectives of the leaders of an unacknowledged extremist organization, who want to alter the established authority inside the states by the implementation of radical and resolute actions in response to political matters. These actions, which involve the use of force, have been documented through different expeditious techniques. The term “unofficial” is attributed to these entities due to their lack of registration by the Ministry of Justice in compliance with the constitutional stipulations outlined in the Republic of Uzbekistan pertaining to “Political parties”, “Non–state, non–profit organizations”, and “Freedom of conscience and religious organizations”.

From a national security perspective, it is imperative to address the emergence of extremist movements within the domains of political, religious and public security.

Extremism, as a social phenomenon, can be understood as a reflection of the societal and political dynamics exhibited by individuals within socio-political contexts. The emergence of this issue can be attributed to the divergence of viewpoints among various segments of the population, as well as the persistence of unresolved unfavorable developments.

The primary variables contributing to the emergence and perpetuation of extremism are: the increasing disparity between the affluent and impoverished segments of society is attributed to socio-economic factors; the aforementioned action constitutes a severe infringement of fundamental human rights and liberties; the arbitrary suppression of opposition meetings refers to the unjust and indiscriminate curtailment of gatherings organized by political dissenters; various social and political groups endeavor to attain their objectives by expedient and forceful means; there has been a decline in the societal valuation of the public due to the impact of ideological subversion.

There exist various manifestations of extremism: political extremism; national (ethnic) extremism; religious extremism.

Political extremism is conventionally categorized into right-wing and left-wing orientations. Both currents of political extremism fail to acknowledge the contemporary notion of human rights and advocate for alternative forms of governance that reject bourgeois-democratic authority, often promoting various manifestations of totalitarianism.

This phenomenon pertains to the occurrence of inter-ethnic conflict, the manifestation of intolerance towards individuals belonging to other ethnic groups, the emergence of separatist movements inside nations characterized by ethnic diversity, and the assertion of territorial demands towards adjacent countries.

Religious extremism, masquerading as religious fanaticism, constitutes a significant catalyst for destabilizing circumstances in specific geographical areas. Intolerance and criticism towards individuals belonging to other religious affiliations manifest both internally within a certain religious movement, such as between representatives of varying religious movements (e.g. moderate and orthodox), as well as externally.

There is no endorsement of violence within any of the world's religions. In contrast, he exhorts his adherents to pursue peace and exhibit compassion towards others.

Extremism exhibits a propensity to proliferate, fostering a conducive atmosphere for the amplification of violence and aggressiveness within ethnic and inter-religious violent conflicts. This phenomenon is discernible throughout all stages of societal development and transitional periods.

Currently, various economic, social, religious, ethnic, and other groups employ extremism as a strategy to achieve their malevolent objectives. They employ contemporary terminology such as "national-liberation vision", "velvet revolution", "Tulip Revolution", or "Rose Revolution" to disguise their intentions and disseminate them within society.

Extremist organizations employ contemporary information and communication technologies extensively to achieve their objectives. They engage in multilingual propaganda campaigns over the Internet and establish virtual communities as a central component of their well-crafted strategic endeavors.

For instance, some prominent extremist entities are presently engaged in the active recruitment of individuals aged 17 to 35 via various social media platforms. To enhance the efficacy of psychological impact, meticulous attention is devoted to the development of images, comments, and posts shared on the profiles of social network users, as well as the selection of conversation subjects. Based on this premise, relevant information pertaining to the topic are disseminated to the intended recipient via popular social networking platforms with a large user base, such as Facebook, Odnoklassniki, VKontakte, Telegram, Twitter, WhatsApp, among others, thereby establishing a link.

Based on statistical data, it can be observed that Facebook, Twitter, Odnoklassniki, and Telegram are the most frequently downloaded applications in Uzbekistan (15 most popular social networks in the world. <https://ain.ua>).

It is imperative for nations worldwide to prioritize the safeguarding of young individuals' cognitive faculties against the impact of detrimental ideologies, while simultaneously striving to mitigate their sway. The escalation of damage caused by numerous toxic beliefs and their consequential influence can be attributed to the lack of comprehensive examination into their underlying causes. The future functional organization of Uzbekistan's youth policy is contingent upon addressing the shortcomings in efforts aimed at mitigating the impact of harmful ideologies on the minds of young individuals.

During the 78th session of the UN General Assembly in September 2023, our President delivered a speech to the global audience regarding the significant reforms undertaken in our republic. The President also highlighted the security challenges faced by our nation and emphasized the imperative of addressing the unresolved issue in Afghanistan.

The resolution titled "Enhancing regional and international cooperation to promote peace, stability, and sustainable development in the Central Asian region" received unanimous support from major nations during the conference, following its proposal by our President.

Uzbekistan is a nation that has encountered the perils and repercussions associated with extremism and terrorism. Our nation has acquired a distinctive expertise in addressing these malevolent phenomena and mitigating their repercussions, thereby offering a potential model for the global community.

The subsequent observations can be discerned regarding the efficacious endeavors undertaken within our republic, under the guidance of our President, in combatting extremism and terrorism. These endeavors may serve as an exemplar for the global community:

- In order to facilitate the social reintegration of individuals who have deviated from societal norms and guide them towards a state of well-being, a mechanism has been established to systematically organize explanatory and preventive initiatives including these individuals as well as the wider public. Additionally, a system for their specific registration has been implemented. The societal impact of the removal of almost 20,000 individuals who were inspired by extremist ideologies from the specialized database of internal affairs agencies was widely perceived as a beneficial outcome resulting from this process;
- The objective is to provide education to young individuals, imparting to them a comprehensive understanding of the humanitarian principles of Islam, the authentic values inherent in Islamic culture, and a profound exploration of the profound spiritual legacy left by our esteemed forefathers. Additionally, the aim is to foster an environment of religious and national tolerance and collaboration within society, countering the prevalence of extremist ideologies, particularly among the youth. The establishment of the Imam Bukhari and Imam Termizi International Scientific Research Centers was undertaken with the aim of creating a robust moral safeguarding framework. The organizational preparations for the establishment of Hadith and Kalam science

schools in Samarkand, a Sufism school in Bukhara, an Aqeedah school in Kashkadarya, and Islamic law (fiqhi) scientific schools in Ferghana have been finalized. Furthermore, at the highest echelon of government, discussions are arranged between the Head of State and the leaders of the many religious faiths within the republic. Additionally, extensive provisions are made to afford representatives from all religious backgrounds the freedom to engage in prayer without constraint;

- Annually, the Cabinet of Ministers of the Republic of Uzbekistan formulates a comprehensive program of initiatives with the objective of addressing religious extremism and enhancing inter-ethnic and inter-confessional collaboration. Under the auspices of this program, various governmental and public institutions, as well as community groups, convene seminars, workshops, and roundtable discussions with the objective of mitigating the risks associated with extremism and terrorism. These initiatives are designed to engage diverse segments of the people and foster dialogue at both local and national levels;
- The focus is given to the proficient utilization of mass media and other forms of media in order to mitigate the dissemination of extremist ideologies. Several booklets were produced with titles such as “Religious Extremism: A Threat to the Future”, “Extremism and Terrorism: An Opportunity for Development”, “Beware of Sects”, “Psychological Characteristics of Fanaticism”, and “Information Attacks Disguised as Religion”. These booklets were disseminated to the general population by various ministries, organizations, and agencies;
- The user’s text does not contain any information to rewrite. Efforts are being made to implement essential strategies aimed at safeguarding labor migrants, students, and fellow citizens who are temporarily residing abroad from being susceptible to extremist ideologies. Prominent clergy from our republic were dispatched on a professional excursion to several cities within the Russian Federation, including Moscow, Saint Petersburg, Yekaterinburg, Novosibirsk, and Kazan, as well as to the Chuvash Republic, Siberia, Sverdlovsk and Omsk areas, and the city of Kiev in Ukraine. There exists a need for a comprehensive comprehension of the authentic essence of notions such as “khijrat”, “jihad” and “martyrdom”, which are frequently subject to misinterpretation.

The primary objective of these activities is to prioritize the safeguarding of persons, society, and the state, with a particular focus on upholding the constitutional system and territorial integrity of the state. Additionally, these efforts strive to uphold the peace of citizens and foster inter-ethnic and inter-confessional harmony.

An essential feature of the Law on Combating Extremism is its distinct definition of the terms “person” and “activity” inside the document. The preceding paper lacked specific definitions for the terms “extremist activity”, “extremism”, “extremist”, “financing of extremism”, and “extremist material”. In the present legislation, precise and comprehensive elucidations of these concepts have been officially documented.

Simultaneously, the legislation established the fundamental principles and orientations for addressing extremism, as well as delineated the roles and responsibilities of the governmental entities tasked with coordinating and executing efforts to combat extremism. It is important to acknowledge that the law encompasses the Ministry of Justice of the Republic of Uzbekistan as one of the authorities involved in addressing extremism. The primary rationale for the inclusion of this office on the roster of anti-extremism agencies is its direct involvement in the registration of religious organizations, cessation of their operations, and maintenance of records pertaining to proscribed extremist activity.

Furthermore, within Article 9 of the legislation, a provision is outlined regarding the official cautionary measures aimed at preventing extremist actions. This provision stipulates that if there exists substantial and verified information pertaining to illicit activities that exhibit indications of extremist behavior, and if there are no legal grounds for initiating legal proceedings, the designated representative

of the governmental entity responsible for countermeasures shall issue a written official warning to the relevant officials and individuals who have facilitated the manifestation of extremism. The purpose of this warning is to deter such activities, and it must explicitly specify the precise rationale for its issuance. As per the provisions outlined in Article 14 of the Law, it is stipulated that an organization can be deemed an extremist group through a legal process, wherein the Prosecutor General of the Republic of Uzbekistan presents an application to the Supreme Court of the Republic of Uzbekistan.

In the event that a legally binding determination is made to acknowledge the aforementioned organization as an extremist entity and prohibit its operations within the jurisdiction of the Republic of Uzbekistan, the roster of said organizations will be made available for public access on the official online platforms of the Ministry of Justice and the Supreme Court of the Republic of Uzbekistan. Presently, the populace of our nation is afforded the chance to acquire knowledge regarding the banning of several extremist organizations in a transparent and accessible manner.

The term “separatism” originates from the Latin term “separatus”, which denotes the act of separation or the desire to be distinct and independent. This further implies that the entities endeavoring to acquire authority by unconstitutional methods disrupt the political landscape.

The phrase “fundamentalism” is a religious concept characterized by its restrictive scope. This phrase is commonly linked to the Christian faith. The inaugural documented instance of its utilization occurred in 1908, as evidenced by the Protestant community residing in the state of California, United States of America. Islamic fundamentalism promotes the belief that it is imperative to revert to the foundational principles of Islam in order to restore the religion to its unadulterated state, thereby purging it of any perceived heretical elements.

In the realm of Islamic theology, three prominent schools of thought may be identified, namely Sunni (Akhli sunna wal-jama’a-sunnat wa jama’a akhli) and Shi’a. These schools encompass various sects that diverge on a range of doctrinal matters. The Kharijites (foreigners), as a faction, experienced a significant decline throughout the latter half of the 7th century.

The Sunni direction, known as “Akhli Sunna wal Jama’a”, encompasses four fiqh schools, namely Hanafi, Shafi’i, Maliki, and Hanbali, as well as two dogmatic schools, Ash’ari and Maturidi. Currently, the global Muslim population, estimated at around 1.3 billion individuals, is predominantly composed of Sunnis, accounting for 92.5% of adherents. Within the Sunni community, there exists a division based on sectarian affiliations, with the Hanafi sect comprising 47%, the Shafi’i sect comprising 27%, the Maliki sect comprising 17%, and the Hanbali sect comprising 1.5%.

The Shia orientation encompasses various sects, namely the Ismaili, Ibadi, Jafari, and Zaidi, collectively constituting approximately 7.5% of the global Muslim population.

Religious extremism is distinguished by a proclivity to employ severe tactics, occasionally resorting to acts of violence. In this scenario, an object of influence can be picked as a specific individual, a social group affiliated with a different religious belief, or representatives of a sect that is not accepted by representatives of the aforementioned faith.

It is important to underscore that the commission of a crime is deemed to have occurred upon the establishment, leadership, or involvement of a religious extremist, separatist, fundamentalist, or any other group that is proscribed.

Based on the aforementioned arguments, it can be inferred that the persistence of religious fundamentalism and extremism perpetuates the enduring peril and menace of terrorism. Ultimately, terrorism derives its ideological and intellectual sustenance from these sources and is dependent upon

them. When strategizing an efficacious intellectual offensive against diverse organizations and movements that employ terrorist tactics under the pretext of Islam, it is crucial to comprehend their dehumanizing characteristics. To prevent succumbing to the influence of these currents, which pose a threat to the cognitive faculties of our populace, particularly the younger generation, we shall diligently endeavor to cultivate our spiritual capacities. This collective pursuit aims to foster perpetual self-awareness, promote national harmony, and enhance the welfare of our citizenry.

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