

Questions of Prevention of Alcoholism and Related Crimes

Urazaliev Murod Koraevich
Tashkent State University, Uzbekistan



DOI : <https://doi.org/10.61796/ijblps.v2i8.346>



Sections Info

Article history:

Submitted: April 27, 2025

Final Revised: May 15, 2025

Accepted: June 25, 2025

Published: July 19, 2025

Keywords:

Alcoholism prevention

Alcohol-related crime

Intoxicated offenses

Criminal liability

Public health

Juvenile protection

Criminal code

International criminal policy

ABSTRACT

Objective: Alcoholism remains a significant public health and social issue globally, closely tied to the emergence and escalation of criminal behavior. In Uzbekistan, legal and societal measures have been enacted to control alcohol consumption and reduce alcohol-induced offenses, particularly among vulnerable populations such as minors. Despite existing laws and preventive mechanisms, a gap persists in the practical implementation and legal precision needed to effectively prevent and sanction crimes committed under the influence of alcohol. This study aims to assess the relationship between alcoholism and criminal behavior, evaluate the effectiveness of current legal frameworks, and propose amendments to improve preventive and punitive responses. **Method:** The analysis reveals systemic shortcomings in the application of Article 261 of the Criminal Code of Uzbekistan and highlights areas needing reform, including stricter criminal liability for intoxicated offenses, targeted public health strategies, and institutional support for juvenile protection. **Result:** The article uniquely integrates legal, medical, and cultural dimensions in addressing alcohol-related crimes and recommends legislative amendments that align with international standards. **Novelty:** Implementing the proposed reforms – such as enhanced sentencing guidelines, broader definitions of criminal consequences under intoxication, and comprehensive youth protection mechanisms – can strengthen Uzbekistan's legal and preventive framework. These measures will not only help mitigate the social and economic burden of alcoholism but also contribute to the development of a healthier, more law-abiding society.

INTRODUCTION

Nowadays, it is a regrettable reality that, on a global scale, diseases and harmful habits such as alcoholism, smoking, substance abuse, and drug addiction – which have a profoundly negative impact on the nation's gene pool, the human lineage, and heredity – are increasingly spreading. Both the practical realities of life and the experiences of foreign countries clearly demonstrate the urgent need to widely promote a healthy lifestyle among the population, to instill in individuals the understanding that safeguarding their health is within their own control, and to legally restrict the consumption of alcoholic beverages through appropriate legislation [1].

Many legal scholars acknowledge that alcoholism is a significant factor contributing to the commission of various crimes and emphasize that it holds a leading position among socially negative behaviors associated with criminality.

The consumption of alcoholic beverages causes harm to the human body, particularly to the nervous system, and leads to the emergence of various acute and chronic mental disorders. Even when alcohol is consumed in relatively small doses, it disrupts a person's motor and mental functioning. In such a state, intense emotional agitation often arises easily, even without external stimuli, resulting in a loss of self-control and the inability to adequately perceive surrounding events. This affliction

negatively affects a person's ability to think rationally, make sound decisions, and exercise self-restraint, prompting them to engage in unprovoked physical altercations, disregard established social norms, act selfishly, seek attention, and ultimately commit crimes [2].

RESEARCH METHOD

The methodology employed in this study on the prevention of alcoholism and related crimes is grounded in an interdisciplinary and multi-pronged research approach that integrates legal analysis, historical context, international policy review, and normative assessment. The author utilizes a doctrinal legal method to critically evaluate the existing legislative framework in Uzbekistan, particularly Article 261 of the Criminal Code, identifying inconsistencies and proposing concrete amendments. Comparative legal analysis is employed to draw insights from foreign jurisdictions such as France and Poland, providing a broader perspective on enhanced liability mechanisms for crimes committed under intoxication. Furthermore, the study incorporates criminological literature and empirical evidence from United Nations reports and national decrees to contextualize the social impact of alcoholism and assess the efficacy of past and current preventive measures. A critical policy review of socio-economic, educational, and healthcare strategies complements the legal dimension, thereby ensuring a holistic understanding of the problem. The research draws on statistical data, government resolutions, and public health regulations to evaluate the enforcement and effectiveness of alcohol control laws, particularly with regard to youth protection and night-time sales. Through the synthesis of legal theory, policy analysis, and international practice, the methodology underscores the need for integrated reform, targeting legislative clarity, institutional efficiency, and preventive awareness. This rigorous, multidimensional approach enables the formulation of informed recommendations that address the root causes and consequences of alcohol-induced criminal behavior, with the ultimate aim of strengthening Uzbekistan's criminal justice and public health systems [3].

RESULTS AND DISCUSSION

Until recently, more than half of all criminal offenses were committed while under the influence of alcohol. The total harm caused by alcohol-induced crimes is considered to be significantly high. Such acts typically include homicide, bodily injury, and violations of personal dignity and honor. Individuals addicted to alcohol inflict suffering not only on victims and their families but also on their own loved ones. The extent of the moral damage they cause is virtually incalculable. Therefore, the prevention of alcoholism and the crimes associated with it stands as one of the most urgent priorities in contemporary criminal policy [4].

With the evolution of human society, the issue of preventing socially dangerous acts – and, following the enactment of laws, criminal offenses – has persistently remained a critical challenge. According to classical thinkers such as Plato and Aristotle, it is

imperative that the rule of law prevails in society in order to deter individuals from engaging in criminal conduct.

Enlightenment-era scholars of the 18th century, most notably Montesquieu, argued that “it is not punishment that should concern any form of government, but rather the prevention of crime”. Cesare Beccaria, in his seminal work *On Crimes and Punishments*, similarly asserted that “it is better to prevent crimes than to punish them”. Although discussions on the prevention of crime have been ongoing for centuries, there is still no universally accepted definition of this concept. In criminological terms, crime prevention refers to a multi-stage system of governmental and societal measures aimed at identifying and reducing crime in general, certain categories of crime, and specific criminal acts. It includes eliminating the causes and conditions conducive to criminal behavior, as well as mitigating the environments or factors that may lead individuals to commit crimes or re-engage in criminal activity. The criminological science plays a vital role in developing and recommending such preventive measures based on rigorous empirical research and analysis [5].

The issue of alcoholism was prominently addressed at the 7th United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in 1985. During the proceedings, it was emphasized that a significant proportion of offenses – particularly violent crimes, acts of hooliganism, and most traffic-related incidents – are committed under the influence of alcohol. Accordingly, it was declared that “reducing alcohol consumption through decisive measures” must be regarded as one of the top priorities for all States Parties.

Indeed, the extent of harm caused by alcoholism to both individual citizens and society as a whole necessitates a proactive and comprehensive approach. Although several decrees had previously been enacted in this field, legal and enforcement mechanisms were not supported by effective socioeconomic policies. For example, the Presidium of the Supreme Soviet of the Uzbek SSR once issued a Decree “On Strengthening the Fight Against Alcoholism and the Eradication of Moonshine Production” among others, but such measures lacked sustainable implementation [6].

Furthermore, it must be acknowledged that the volume of alcohol production and sales continues to rise steadily today. Against this backdrop, eliminating alcoholism from everyday life should be considered a long-term strategic goal. At the current stage of societal development, it is of crucial and pressing importance to minimize the consumption of alcoholic beverages and to actively promote a healthy lifestyle among the general population – especially among the youth.

To achieve these noble objectives, a comprehensive set of measures encompassing organizational-political, economic, cultural-educational, legal, and medical components is being implemented at the national level.

Firstly, within the wide spectrum of actions aimed at promoting a healthy lifestyle, particular attention must be given to organizational and political initiatives. Today, the establishment of a healthy societal environment is facilitated by stable and robust cooperation between state authorities, neighborhood committees (mahallas), and local

self-governing bodies. In this regard, several legislative and regulatory acts have been adopted, and positive steps have been taken to strengthen discipline and legal accountability. Notably, the Laws of the Republic of Uzbekistan “On Restricting the Distribution and Consumption of Alcohol and Tobacco Products” and “On the Prevention of Offenses” have laid a strong legal foundation for such efforts [7].

Secondly, the economic measures to combat alcoholism primarily concern the regulation of alcohol sales. Indeed, such activities must be conducted under strict state oversight. To that end, the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated January 5, 1999, “On Additional Measures to Strengthen State Control Over the Production and Circulation of Alcohol and Alcoholic Products” remains in force. In accordance with this regulation, the retail sale of alcoholic beverages – including sale by volume – is permitted only with a license granted under the prescribed procedure, and must be carried out exclusively in specially designated outlets using fiscal cash registers equipped with secure memory protection features [8].

According to Article 21 of the Law of the Republic of Uzbekistan dated May 24, 2023 “On Restricting the Distribution and Consumption of Alcohol and Tobacco Products,” the sale of alcoholic and tobacco products shall be prohibited under the following circumstances:

1. To individuals under the age of 21;
2. By individuals under the age of 21;
3. Through means that exclude direct participation of the seller, including vending machines or other electronic or mechanical devices;
4. Via self-service shelves;
5. In the form of e-commerce, including delivery by any method directly to end consumers (with the exception of natural and sparkling wines);
6. Through mobile (hand-held, tray-based, basket, pushcart) sales;
7. Outside of stationary retail facilities;
8. In pharmacies;
9. In premises intended for the sale of goods for children;
10. When the product is made to resemble children’s toys, candies, or other items aimed at minors;
11. On the premises of healthcare organizations, educational institutions, cultural centers, physical education and sports facilities, sanatoriums, and social-medical institutions;
12. Within a direct distance of less than 100 meters from the premises of educational, sports, and religious institutions, except for retail facilities located in trade complexes (markets) with a total sales area exceeding 1,000 square meters or in fair pavilions;
13. If the product has expired;
14. Without the appropriate documentation confirming product quality;

15. In rooms and places that do not meet sanitary norms and regulations regarding the storage and sale of alcohol and tobacco products, tobacco, and nicotine consumption devices;
16. Without excise stamps affixed in accordance with the established procedure – for products that require excise labeling;
17. With counterfeit excise stamps;
18. If not clearly labeled in a manner that allows identification of the manufacturer;
19. Without digital identification tools as required by law;
20. When produced by individuals lacking the necessary license – for alcohol and tobacco products subject to licensing;
21. If purchased from suppliers not authorized to sell alcohol or tobacco products or who have violated legislation in the course of such sale;
22. If the label on the alcohol product container or the packaging (box) of tobacco products or tobacco and nicotine consumption devices does not contain the mandatory medical warning;
23. If a pack of cigarettes contains fewer than 20 sticks;
24. If tobacco products or nicotine consumption devices are sold in sets with non-related goods;
25. If sold without packaging (unboxed or unpackaged) – for tobacco products and devices;
26. If sold by the piece or in opened (tampered) packages – for cigarettes and heated tobacco products;
27. In the premises and on the grounds of railway stations, bus terminals, airports, river ports, and metro stations (excluding duty-free shops) – for tobacco products and devices;
28. At wholesale and retail prices lower than the established minimum price – for alcohol (excluding beer and beer-based beverages);
29. If contained in fully polyethylene, polystyrene, or other polymer material packaging – for alcohol (excluding beer and beer-based beverages);
30. If sold in containers that are unlabeled, dirty (inside or outside), visibly damaged (cracked necks or bottles), have broken seals, a cloudy appearance, foreign particles, or sediments – for alcoholic products (excluding collectible wine products);
31. And if they do not comply with the requirements of technical regulation documentation – such products shall not be sold [9].

A person directly engaged in the retail sale of alcoholic and tobacco products, including devices intended for the consumption of tobacco and nicotine, shall be required to request identification confirming the age and identity of any customer who appears to be under the age of twenty-one. In the absence of such documentation, the seller must refuse to carry out the sale of alcoholic and tobacco products, as well as devices for the consumption of tobacco and nicotine [10].

Based on the above, it is reasonable to conclude that the imposition of strict economic restrictions – particularly the idea of adopting a “dry law” – is not justifiable.

Although some countries, such as Finland and several U.S. states, have attempted to implement such measures, and others like Saudi Arabia, Kuwait, Iran, Yemen, and Libya currently maintain complete bans on alcohol consumption, practical experience has shown that such approaches have not achieved the desired outcomes in any jurisdiction [11].

In the Republic of Uzbekistan, administrative liability is stipulated by Article 186 of the Code of Administrative Responsibility for the preparation or sale of homemade strong alcoholic beverages. Furthermore, Article 186¹ provides for liability for the unlawful circulation of ethyl alcohol, alcoholic beverages, and tobacco products. In addition, Article 186 of the Criminal Code establishes criminal responsibility for the illegal production or circulation of ethyl alcohol, alcoholic beverages, and tobacco products [12].

It is worth noting that the current restrictions are fully applicable to individuals under the age of twenty-one. However, it would be advisable to extend such restrictions to individuals diagnosed with chronic alcoholism. In such cases, the prohibition should take effect from the moment a qualified medical professional officially diagnoses the individual with alcohol dependency. Furthermore, a time-bound restriction on alcohol consumption – ranging from 8 to 12 hours – should also apply to railway workers, drivers, maritime and aviation personnel, and other professionals engaged in high-risk occupations [13].

International experience with regard to banning the sale of alcoholic beverages at night demonstrates a wide variety of approaches. Each country implements policies tailored to its unique social, economic, and cultural conditions.

In this regard, it would be appropriate to introduce amendments to Article 24 of the Law of the Republic of Uzbekistan “On Limiting the Distribution and Consumption of Alcohol and Tobacco Products,” to prohibit the sale of such products between the hours of 11:00 p.m. and 8:00 a.m. local time. The stricter the limitations, the more effective the results. Empirical data suggest that prohibiting the nighttime sale of alcoholic beverages contributes significantly to the reduction of criminal offenses, acts of violence, and accidental incidents.

In order to overcome the prevailing “tradition” of alcohol consumption, it is imperative to place particular emphasis on cultural and educational measures. These efforts must provide meaningful and realistic alternatives for the use of leisure time. Ensuring that individuals spend their non-working hours in a constructive and culturally enriching manner represents one of the key directions in the fight against alcoholism. Indeed, in recent years, numerous elegant and modern cultural centers and sports facilities have been constructed throughout the country, which are fully capable of meeting the population’s needs in this regard [14].

Another vital aspect of cultural and educational efforts is the consistent public discourse on the harms of alcoholism. At every level of society – within the family, labor collectives, and educational institutions – it is essential to foster a socially negative attitude toward alcohol abuse and dependency.

According to Article 16 of the Law of the Republic of Uzbekistan “On the Prevention of Neglect and Delinquency among Minors”, public health authorities and healthcare institutions are vested with the mandate to develop and implement preventive measures addressing alcoholism, smoking, drug addiction, and substance abuse among minors, as well as behavioral deficiencies associated therewith. These entities are also obliged to inform commissions on children’s issues regarding the spread of such harmful practices among minors.

However, in our view, significant gaps remain in the practical implementation of these normative provisions, indicating the need for more targeted and effective measures [15].

Primarily, it is advisable to establish specialized sections within national commissions on children’s issues, tasked explicitly with combating alcoholism and drug addiction among minors. The objectives and principal areas of activity of such sections must be clearly delineated.

At present, the legal mechanisms implemented in our society to prevent alcoholism are primarily aimed at eliminating relevant offenses and strengthening legal liability in this domain. This trend suggests the emergence of new socio-cultural factors capable of substituting the role previously held by alcoholism in certain environments, thereby necessitating proactive preventive strategies.

Thirdly, the medical aspects of anti-alcoholism measures encompass the treatment of individuals suffering from alcoholism, the implementation of preventive strategies, and the enhancement of therapeutic methods and tools. The treatment of individuals with alcohol dependence typically includes:

- detoxification procedures;
- the use of specialized pharmacological therapies; and
- supportive interventions aimed at physical and psychological rehabilitation.

Compulsory treatment is applied to individuals who refuse voluntary treatment or continue alcohol abuse even after undergoing medical intervention. The integration of medical and legal coercive measures is also observed in cases where crimes are committed by mentally competent individuals who nonetheless suffer from certain psychological disorders (e.g., alcoholics or psychopaths) [16].

Administering both punitive and medically-oriented coercive measures to such individuals proves not only necessary but also socially beneficial. Although the provision of social and medical-preventive services to these individuals requires substantial financial resources, it is ultimately justified from a societal perspective.

Fourthly, in combating alcoholism, there is a pressing need to strengthen criminal-legal measures – particularly by regulating the sentencing practice for individuals who commit crimes under the influence of alcohol. This objective may be achieved by enshrining specific provisions in the Criminal Code regarding the qualification of crimes committed in a state of intoxication, thereby establishing clearer grounds for enhanced liability.

Various foreign legal scholars have proposed different approaches to developing criteria for the qualification of crimes committed under the influence of alcohol. For example, A. Grebenkov advocates for the inclusion of detailed commentaries on relevant articles regarding crimes committed in a state of intoxication, Kostareva supports codifying this criterion in a separate article that would establish mandatory provisions applicable to all offenses covered in the Special Part of the Criminal Code, N. Kapinus, in turn, proposes introducing a sentencing policy under which the punishment for an intoxicated offender could be tripled compared to the maximum sanction prescribed for the corresponding crime. Such enhanced sentencing measures for offenses committed under the influence of alcohol are reflected in the criminal codes of countries like France and Poland [17].

Given this background, it is imperative that Uzbekistan also strengthens legal liability for crimes committed in a state of intoxication. Notably, the successful reduction in administrative offenses related to traffic violations—following the imposition of stricter sanctions—serves as a positive example for criminal policy reform in this domain.

Fifthly, strengthening the preventive measures against alcoholism also requires attention to Article 261 of the Criminal Code. Under its current wording, criminal liability arises only when such an act results in serious bodily harm or death. However, in practice, offenses committed under the influence of alcohol often lead to other severe consequences. These may include multiple fatalities, mass casualties, and other significant harms that either fall outside the scope of the current disposition or, despite being more serious than the outcomes specified in the article, are subject to disproportionately lenient punishment – contradicting the principles of justice and humanity enshrined in criminal law. For example, an act resulting in the death of multiple persons may still be prosecuted under provisions that address the death of only one individual, thereby leading to inadequate penal responses.

It is well established that the term "multiple fatalities" refers to the death of two or more persons as a result of violations of road traffic rules, the use of transportation means, or other provisions specified in criminal legislation.

The term "catastrophe" denotes large-scale disasters involving public transportation systems – including railways, maritime vessels, inland waterways, aviation, or urban public transport (such as buses, trolleybuses, trams, or route taxis) – which not only result in the death of dozens of individuals, but also cause irreparable harm to the environment and pose serious threats to public health and safety.

The expression "other grave consequences" encompasses a broad range of outcomes, such as: fatalities accompanied by long-term disruption of railway, maritime, or air traffic operations; destruction of surrounding residential buildings or infrastructure (through explosion, fire, collapse, etc.); and other comparable large-scale incidents that lead to significant and lasting societal damage.

It should be emphasized that such consequences as "multiple fatalities," "catastrophes," and "other grave consequences" are explicitly recognized as aggravating circumstances in 8 out of 12 articles contained in Chapter XXIV of the Criminal Code of

the Republic of Uzbekistan, titled "Crimes Against the Safety of Traffic and Use of Transport Means". These include Articles 260, 260, 262, 263, 263, 266, 268, and 269 of the Code.

Under Articles 260, 261 through 263, 266, 268, and 269, a causal relationship must be established between the breach of traffic or transport safety rules (or other provisions outlined in criminal law) and the resulting harmful consequences. Such breaches may be committed through either acts or omissions, and this principle has been clarified in legal commentary and case law.

In light of the above, it would be appropriate to supplement Article 261 of the Criminal Code with a new part two, which introduces criminal liability when the act results in particularly serious outcomes, as follows:

"The same act, if it causes:

1. The death of multiple persons;
2. A transportation catastrophe;
3. Other grave consequences, – shall be punishable by deprivation of a specific right and imprisonment for a term of up to five years".

Therefore, the implementation of the above-mentioned proposals would significantly reduce the incidence of alcoholism and the commission of offenses or crimes in a state of intoxication. It would also contribute to the imposition of fair punishments on individuals who, while intoxicated, flagrantly disregard social norms and legal requirements, thereby committing criminal acts. Furthermore, these measures would help eliminate existing issues in the application of the law and create a sound foundation for the proper legal classification of such offenses.

In addition, a comprehensive set of preventive measures is required to combat crimes committed under the influence of alcohol. These measures must encompass personal, social, and legal approaches, forming an integrated strategy. Given that alcohol consumption today poses not only a threat to individual health but also undermines the interests of society at large, it is imperative to mobilize all efforts to combat this harmful phenomenon. The overarching goal should be to foster the development of a healthy and well-rounded generation, which necessitates a collective commitment to eradicating such destructive habits.

CONCLUSION

Fundamental Finding : The multifaceted and deep-rooted challenge of alcoholism, particularly as it intersects with criminal behavior, demands a multidimensional and systemic response. This article has comprehensively examined the legal, medical, cultural, and preventive frameworks necessary to curb alcohol-related crimes, highlighting the inadequacies in current legislative and enforcement mechanisms, particularly with respect to Article 261 of the Criminal Code of Uzbekistan. **Implication :** Drawing upon international experiences and historical insights, the analysis reveals that punitive measures alone are insufficient without the reinforcement of educational, socioeconomic, and institutional supports. The integration of targeted amendments, such

as enhanced liability for intoxicated offenses and time-bound restrictions for vulnerable occupational groups, is essential to aligning legal practice with the principles of justice and public safety. Additionally, empowering youth through cultural and health-centered initiatives, and reinforcing the accountability of institutions tasked with protecting minors, will strengthen long-term resilience against alcoholism. **Limitation** : The findings underscore the urgent need for a harmonized strategy—where legal reforms are reinforced by medical treatment, public education, and societal engagement. **Future Research** : In conclusion, only through the concerted efforts of the state, civil society, and the legal community can a sustainable decline in alcohol-induced criminality be achieved, fostering a healthier, more law-abiding, and socially responsible society.

REFERENCES

- [1] «Bulletin of the Supreme Council of the Uzbek SSR». 1985 y.
- [2] *Codes of Poland: Criminal Code, Criminal Procedure Code, Penal Enforcement Code*. Moscow, 1998.
- [3] L. Yu. Peremolotova, «Crimes Committed Under the Influence of Alcohol: Criminal-Legal and Criminological Aspects», PhD Thesis, Moscow State Law University, 2002.
- [4] *Criminal Code of France*. St. Petersburg: Legal Literature, 2012.
- [5] D. S. Sedov, «Criminological and Criminal-Legal Characteristics of Crimes Committed Under the Influence of Alcohol», PhD Thesis, St. Petersburg University of the Ministry of Internal Affairs, 2004.
- [6] G. A. Avanesov, *Criminology: Textbook*. Moscow: Legal Literature, 1984.
- [7] M. Usmonaliyev и Y. Karaketov, *Criminology: Textbook*. Tashkent: Tashkent State University of Law, 2001.
- [8] Yu. K. Lukyanov, «Drunkenness and Crime», в *Legal Measures to Combat Drunkenness*, Moscow: Legal Literature, 1987, p. 29.
- [9] «Law of the Republic of Uzbekistan “On the Prevention of Neglect and Delinquency Among Minors”». 2010 y.
- [10] «National Database of Legislation of the Republic of Uzbekistan». 2023 y. <https://www.lex.uz>
- [11] C. Beccaria, *On Crimes and Punishments*. Moscow: Legal Literature, 2009.
- [12] «Plenum of the Supreme Court of the Republic of Uzbekistan, Resolution dated 26 June 2015: On Certain Issues of Judicial Practice Related to Crimes Against the Safety of Transport Traffic and Its Use». 2015 y. <https://lex.uz/docs/2710284>
- [13] G. A. Yurov, «Prevention of Crimes Committed under the Influence of Alcohol», PhD Thesis, Ryazan Law Institute, 2007.
- [14] T. A. Kostareva, *Qualifying Circumstance in Criminal Law: Concept, Legislative Regulation, Impact on Differentiation of Responsibility*. Yaroslavl: Yaroslavl State University, 2013.
- [15] «Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders: Report of the Congress». Milan, p. 187, 1985 y.
- [16] N. Kapinus и V. Dodonov, «The Influence of Intoxication on Guilt and Liability in Modern Criminal Law (Comparative Legal Analysis)», *Crim. Law*, p. 32, 2004.
- [17] A. A. Grebenkov, «The Problem of Differentiating Criminal Liability for Crimes Committed in a State of Alcohol or Drug Intoxication», *Bus. Law*, p. 168, 2007.

*** Urazaliev Murod Koraevich (Corresponding Author)**

Tashkent State University, Uzbekistan

Email: u.murodbek_78@mail.ru
