

EXPERIENCES OF SETTING PUNISHMENT FOR THE CRIME OF EXTORTION IN THE LEGISLATION OF A FOREIGN COUNTRY

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Abstract: *This article deals with the composition and qualification of the crime of extortion. In particular, the issues arising in the qualification of extortion crime have been partially studied. At the same time, the issue of punishment for the crime of extortion was studied and analyzed in accordance with the criminal legislation of foreign countries.*

Key words: *extortion crime, crime structure, foreign criminal law, intimidation, property, law*

Since the crime of extortion is a complex crime, the classification of this crime is different around the world.

For example, Article 182 of the Criminal Code of Armenia defines the crime of extortion as follows [1]:

Extortion, i.e. the threat to publicize defamatory information or information inflicting significant damage to the person's or his relatives' rights or legal interests, the threat to use violence against the person or his relatives, or to destroy (damage) the property owned or managed by the person, his relatives or other persons, with a demand to surrender the property rights, or other actions involving property.

If these actions are taken, shall be punished with correctional labor for the term of up to 2 years, or with arrest for the term of up to 3 months, or with imprisonment for the term of up to 4 years and a fine for the amount of up to 50 minimal salaries or without that.

Extortion in accordance with the second part of Article 182 of the Criminal Code of Armenia:

- 1) committed against the person or his relatives with violence;
- 2) by a group with prior agreement;
- 3) by a person who committed crimes envisaged in Articles 175-182, 234, 238, 269 of this Code, is punished with imprisonment for the term of 3 to 8 years, with or without property confiscation.

Extortion in accordance with the third part of Article 182 of the Criminal Code of Armenia:

- 1) causing negligent death, or other grave consequences;
- 2) in order to acquire a particularly large amount of property,
- 3) by an organized group;
- 4) by causing grave damage to one's health,

5) committed by a person with two or more convictions for crimes envisaged in Articles 175-182, 222, 234, 238, 269 of this Code, is punished with imprisonment for the term of 6 to 10 years, with property confiscation. In this regard, it should be noted that the penalties for the crime of extortion in the Criminal Code of Armenia are more severe than those used in the national criminal code. Also, we can see that the determination of liability in case of physical violence against a person or death due to carelessness, severe damage to health, is different from our national legislation.

Florida Penal Code Section 836.05 makes extortion a felony and carries up to 15 years in a Florida penitentiary or a \$10,000 fine [2].

Texas law defines extortion as extortion when property is obtained by force or threat and based on the value of the property. If the value of the property is less than \$2,500, it is not considered extortion [3].

according to Avstria crime law extortion offense is punishable by up to 10 years in prison. If the offense is committed in serious cases, it is punishable by up to 14 years in prison [4].

We can include the following in aggravating circumstances:

- causing serious harm to several persons;
- if a huge amount of damage was done to the economy.

In Queensland, the police may accuse you extortion of the following in the following cases [5]:

- when demanding an unjustified property;
- in case of harm to another person;

And if it is done by an act of harm to any person other than himself, he will be punished specified in Article 415 of the Queensland Criminal Code.

The minimum sentence for this crime is 7 years in prison.

Under section 87 of the Criminal Code of Victoria 1958 [6]:

- if any unjustified actions were committed against the person;
- against the will of the victim;
- the person who committed the crime does not have reasonable evidence to make a claim;

A person who commits a criminal offense shall be punished with imprisonment for up to 15 years.

In conclusion, one of the types of crime with the highest social responsibility is extortion. This is because, first of all, it damages a person's property and property rights. Secondly, it is characterized by a series of actions that harm a person's life and health. Thirdly, when the objective side of the crime of extortion is carried out, the danger of harming not only the person himself, but also his relatives increases the level of danger of the crime.

1. Criminal code of the republic of Armenia. Legislation: National Assembly of RA <http://www.parliament.am/legislation.php?sel=show&ID=1349&lang=en>

2. The 2023 Florida Statutes (including Special Session C) http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Index&Title_Request=XLVI

3. Texas Criminal Laws <https://www.findlaw.com/state/texas-law/texas-criminal-laws.html>

4. Criminal code of the republic of Avstralia <https://www.gotocourt.com.au/criminal-law/>

5. <https://www.awbrisbanelawyers.com.au/extortion/#:~:text=Penalties%20For%20Extortion,in%20industrial%20or%20commercial%20activity.>

6. Criminal Law Victoria <https://www.gotocourt.com.au/criminal-law/vic/>