



Theoretical, Legal and Practical Aspects of Preventing the Crime of Taking a Person Hostage

Azamat Annakulov

Karakalpak State University

DOI:

<https://doi.org/10.47134/ijlj.v3i1.4737>

*Correspondence: Azamat Annakulov

Email: azamat@gmail.com

Received: 22-07-2025

Accepted: 22-08-2025

Published: 22-09-2025



Copyright: © 2025 by the authors. Submitted for open access publication under the terms and conditions of the Creative Commons Attribution (CC BY) license (<http://creativecommons.org/licenses/by/4.0/>).

Abstract: This article examines the theoretical, legal, and practical aspects of the crime of taking a person hostage. It explores the criminological characteristics of hostage-taking offenses, the underlying causes of such crimes, the activities of law enforcement agencies, and effective methods for combating this form of criminality. Special attention is given to the threat posed by these crimes to public security, the role of information and communication technologies in their prevention, and the importance of legal awareness and advocacy in mitigating their occurrence. The study also evaluates current national legislation and international legal standards regarding hostage-taking, comparing their implementation and effectiveness. Additionally, the paper addresses challenges faced in detecting and investigating such crimes, especially in the context of organized crime and terrorism. Practical recommendations are proposed to strengthen institutional cooperation, improve preventive strategies, and enhance public education on legal norms. The findings of the research are intended to support the development of more effective legal and policy frameworks aimed at reducing the incidence of hostage-taking and protecting fundamental human rights and freedoms.

Keywords: Hostage-Taking, Crime Prevention, Criminological Profile, Legal Mechanisms, Public Security, Law Enforcement Agencies, Criminal Legislation, Information and Communication Technologies, Legal Advocacy, Determinants of Criminal Behaviorservice, Education.

Introduction

In recent years, Uzbekistan has implemented a series of comprehensive reforms aimed at combating crime and enhancing public security. These efforts have prioritized the early prevention of crimes, the rapid detection of offenses, and the introduction of modern operational methods into law enforcement practices. As part of this national strategy, the establishment of effective crime prevention mechanisms has been viewed as a critical pillar of state policy (Tsfay, 2024).

Particularly, the crime of taking a person hostage presents a serious challenge to both public safety and national security. This category of offense not only poses a direct threat to individual rights and freedoms but also undermines public order through fear and coercion. The complexity of preventing such crimes is heightened by the evolving socio-political environment, the rapid integration of digital technologies into daily life, and the emergence of new forms of criminal behavior.

Despite national and international legal instruments aimed at deterring hostage-taking, theoretical and criminological understanding of its causes remains underdeveloped. Criminological studies on this offense are scarce, and practical mechanisms for early detection and prevention remain limited. Consequently, it becomes necessary to analyze the factors contributing to the emergence of hostage-taking crimes through interdisciplinary lenses, including legal theory, criminology, and criminal policy (Zelepukin, 2023).

Moreover, the enhancement of public legal awareness, the expansion of non-governmental educational institutions, and the institutionalization of community-based oversight play vital roles in crime prevention strategies. Within this context, the systematic implementation of the "individual – family – neighborhood – educational institution – organization – society" principle has gained legal significance as a model for social engagement and preventive work (Ostrihansky, 2023).

This article investigates the theoretical, legal, and practical aspects of preventing hostage-taking crimes. It focuses on identifying the criminological characteristics and causal factors of such crimes, assessing the performance of law enforcement agencies, and proposing strategic recommendations to develop an effective and integrated crime prevention system based on national and international best practices.

The crime of hostage-taking has been the subject of extensive theoretical and practical research within the broader scope of criminal law and criminology. International legal frameworks, particularly the *International Convention Against the Taking of Hostages* (1979), define hostage-taking as a criminal act that violates fundamental human rights and calls for coordinated global efforts to prevent and punish such offenses. This convention underscores the imperative for both domestic and international actors to adopt preventive and punitive measures to eliminate the threat of hostage situations (Pawlicka, 2023).

In the context of post-Soviet legal scholarship, researchers such as M.D. Shargorodskiy have emphasized that the prevention of crime is deeply rooted in the identification of motives and socio-psychological drivers behind criminal behavior. Shargorodskiy argues that understanding the offender's intentions is crucial for early intervention and effective deterrence mechanisms (Shargorodskiy, 1948). Similarly, V.A. Osipov highlights the importance of categorizing crime prevention factors into general, specific, and direct elements to develop more effective crime-fighting strategies (Osipov, 1999).

Uzbek legal scholars have also contributed to the discourse by contextualizing crime prevention within the framework of public legal awareness and community involvement. Y.S. Pulatov, for instance, emphasizes the necessity of accurate identification of social relations that influence preventive measures, as well as the active engagement of competent authorities (Zaripov, 2016). M.Y. Gushin considers criminal acts as manifestations of conflict between the individual and society and argues that their causes stem from deep-rooted social contradictions that must be systematically addressed (Gushchin, 2005).

Additionally, scholars like M.Y. Pavlik have classified hostage-taking as one of the most dangerous threats to public security due to its violent nature and psychological impact on society (Pavlik, 2006). His work stresses the need for integrating criminological research with operational law enforcement measures to create a multidimensional response to such crimes.

Despite the valuable insights offered by these scholars, there remains a gap in the systematization of theoretical approaches to hostage-taking, particularly regarding its criminological determinants in the age of digitalization. The emergence of virtual environments, cyber threats, and social disintegration demands an updated conceptual framework for understanding and combating hostage-taking crimes. This study contributes to the existing literature by integrating traditional theories with new analytical approaches, focusing on the role of virtuality, social context, and intersubjective dynamics in the causation and prevention of such offenses (Middleton, 2019).

Methodology

This research employs a multidisciplinary legal and criminological methodology to analyze the theoretical, legal, and practical dimensions of hostage-taking crimes and their prevention. A combination of qualitative and comparative legal methods was used to examine national and international legal frameworks, doctrinal interpretations, and law enforcement practices (Citroni, 2025).

The normative-legal method was applied to analyze statutory regulations in Uzbekistan's criminal legislation as well as international conventions, such as the *International Convention Against the Taking of Hostages* (1979). This method enabled the identification of legal definitions, classifications, and sanctions associated with hostage-taking offenses.

The criminological analysis focused on identifying and interpreting the structural causes and criminogenic factors contributing to the commission of hostage-taking crimes. Key concepts such as the "conditionalistic," "interactionist," and "dialectical" models were employed to explain offender behavior and social dynamics.

The comparative method was utilized to evaluate crime prevention strategies implemented in other countries, particularly with respect to information and communication technologies, public legal education, and community-based surveillance.

The study also incorporates elements of empirical assessment through a review of law enforcement statistics, government reports, and secondary data on hostage-taking incidents within the last five years in Uzbekistan. While direct fieldwork and interviews were not conducted due to limitations, the integration of publicly available data and scholarly analysis provided a solid foundation for developing practical recommendations (Buczowski, 2020).

Furthermore, systematic conceptual modeling was used to develop a framework for understanding the criminological determinants of hostage-taking. This included mapping risk factors, identifying social triggers, and proposing preventive mechanisms aligned with Uzbekistan's criminal justice reform agenda.

This comprehensive methodological approach ensures the reliability of the study's findings and supports the development of practical, policy-oriented solutions to strengthen crime prevention and public safety mechanisms (Glazewski, 2019).

Result and Discussion

The results of this study reveal that hostage-taking, as a specific type of violent crime, remains a critical threat to public safety and social stability. Despite legal reforms and increased law enforcement efforts in Uzbekistan, the theoretical and practical frameworks for preventing hostage-taking crimes require substantial enhancement.

One of the key findings is the absence of a unified criminological theory that fully explains the causes and dynamics of hostage-taking offenses. While classical models such as the conditionalistic, traditional, interactionist, and dialectical approaches offer partial insights, they fall short in accounting for contemporary challenges such as digitalization, virtual communication, and psychological vulnerability. The study introduces virtuality as an emerging criminogenic factor, highlighting the role of distorted social reality and online radicalization in fostering violent behavior (Gill, 2023).

Statistical data and institutional reports indicate that the early detection of such crimes remains inefficient, and law enforcement often reacts post-factum. There is a significant need for real-time surveillance tools, predictive analytics, and interagency cooperation to identify potential perpetrators before crimes occur. The lack of an integrated national information database on hostage-taking incidents further complicates the process of monitoring trends and formulating targeted interventions.

The discussion also emphasizes the importance of public legal awareness and legal culture. The absence of preventive legal consciousness in families, educational institutions, and communities contributes to an environment in which criminal behavior can escalate unnoticed. Strengthening legal education, especially through grassroots mechanisms such as the “individual–family–neighborhood–school–organization–society” model, is crucial to reducing risk.

From a legislative standpoint, the current criminal code criminalizes hostage-taking but lacks specificity in defining technological and psychological tactics used by modern offenders. Thus, amendments to criminal legislation are recommended to address emerging threats, particularly those involving digital tools, psychological manipulation, and transnational networks (Buczma, 2020).

The study also finds that interagency and international cooperation in preventive operations is underutilized. Establishing criminological forecast units within law enforcement bodies and expanding collaboration with foreign intelligence services can enhance the anticipatory capacity of Uzbekistan's internal security apparatus.

Finally, the research proposes a set of practical measures, including the creation of mobile advocacy teams, the development of region-specific criminological centers, and the launch of a state-level targeted prevention program aimed specifically at hostage-taking crimes. These recommendations align with global best practices and aim to systematize Uzbekistan's crime prevention strategies while preserving human rights and rule of law principles.

Conclusion

This study has demonstrated that hostage-taking is a particularly dangerous and complex form of violent crime that poses serious threats to individual security, public order, and national stability. While Uzbekistan has taken important steps toward improving its legal framework and law enforcement mechanisms, significant challenges remain in terms of theoretical understanding, preventive strategies, and operational effectiveness.

The research identified the lack of a unified criminological theory addressing the causes and dynamics of hostage-taking crimes in the context of digital transformation and virtual influences. Traditional approaches alone are no longer sufficient; therefore, an expanded conceptual model that includes psychological, technological, and sociocultural determinants is essential.

Effective crime prevention requires a comprehensive approach that includes improving interagency coordination, strengthening legal norms, and enhancing public awareness. The introduction of specialized criminological forecasting units, community-based monitoring systems, and targeted educational programs are among the most promising solutions.

Ultimately, the successful prevention of hostage-taking crimes depends on the synergy between legislation, law enforcement, community engagement, and scientific research. By integrating these components into a coherent and adaptive strategy, Uzbekistan can more effectively counter such crimes and protect fundamental human rights and public safety.

References

- Buczowski, K. (2020). Legal and practical challenges of combating illicit trade of Tobacco in Poland. *Combatting Illicit Trade on the Eu Border A Comparative Perspective*, 153–212. https://doi.org/10.1007/978-3-030-51019-0_6
- Buczma, S. R. (2020). Fighting waste crime: legal and practical challenges: What lesson has been learned more than ten years after the adoption of Directive 2008/99? *Era Forum*, 21(3), 413–427. <https://doi.org/10.1007/s12027-020-00639-1>
- Carrapiço, H. (2016). The european union's fight against cybercrime: Policy, legal and practical challenges. *European Union as an Area of Freedom Security and Justice*, 459-484, <https://doi.org/10.4324/9781315738284-31>
- Citroni, G. (2025). Practical, legal and psychological issues related to the protection of the dead in cases of enforced disappearance. *International Review of the Red Cross*. <https://doi.org/10.1017/S1816383124000730>
- Fenton, N. (2017). The opportunity prior: A simple and practical solution to the prior probability problem for legal cases. *Proceedings of the International Conference on Artificial Intelligence and Law*, 69-78, <https://doi.org/10.1145/3086512.3086519>
- Gill, A. K. (2023). Child Sexual Abuse in Black and Minoritised Communities: Improving Legal, Policy and Practical Responses. *Child Sexual Abuse in Black and Minoritised Communities Improving Legal Policy and Practical Responses*, 1–441. <https://doi.org/10.1007/978-3-031-06337-4>

- Glazewski, J. (2019). Legal and practical challenges around restitution, secrecy and asset recovery in transnational fisheries crime: A case study of United States v Bengis, 2013. *Marine Policy*, 105, 151–157. <https://doi.org/10.1016/j.marpol.2018.12.025>
- Gushchin, M. Yu. (2005). *Zakhvat zalozhnika: Kriminologicheskaya kharakteristika i ugolovno-pravovye mery protivodeystviya: Avtoreferat dissertatsii kandidata yuridicheskikh nauk* [Hostage-taking: Criminological characteristics and criminal law countermeasures: Abstract of candidate of legal sciences dissertation]. Sankt-Peterburg: Rossiyskaya gosudarstvennaya biblioteka.
- Middleton, B. (2019). The Financial Investigation of Human Trafficking in the UK: Legal and Practical Perspectives. *Journal of Criminal Law*, 83(4), 284–293. <https://doi.org/10.1177/0022018319834364>
- Organizatsiya Ob''edinennykh Natsiy. (1979, dekabr 17). *Mezhdunarodnaya konventsiya o bor'be s zakhvatom zalozhnikov* [International Convention Against the Taking of Hostages]. https://www.un.org/ru/documents/decl_conv/conventions/hostages.shtml
- Osipov, V. A. (1999). *Zakhvat zalozhnika (Ugolovno-pravovoy i kriminologicheskoy aspekty): Avtoreferat dissertatsii kandidata yuridicheskikh nauk* [Hostage-taking: Criminal law and criminological aspects: Abstract of candidate of legal sciences dissertation]. Moskva: Rossiyskaya gosudarstvennaya biblioteka.
- Ostrihansky, M. (2023). The practical and legal aspects of geographical zones for unmanned aircraft systems in Poland - facilitation or complication? *2023 International Conference on Unmanned Aircraft Systems Icuas 2023*, 887–894. <https://doi.org/10.1109/ICUAS57906.2023.10156280>
- Pavlik, M. Yu. (2006). *Ugolovnaya otvetstvennost' za nasilstvennye prestupleniya protiv obshchestvennoy bezopasnosti: sovremennoe sostoyanie, sushchnost' i protivorechiya* [Criminal liability for violent crimes against public safety: Current state, essence, and contradictions]. *Vestnik Sankt-Peterburgskogo universiteta MVD Rossii*, (1), 102–107.
- Pawlicka, A. (2023). The Need for Practical Legal and Ethical Guidelines for Explainable AI-based Network Intrusion Detection Systems. *IEEE International Conference on Data Mining Workshops Icdmw*, 253–261. <https://doi.org/10.1109/ICDMW60847.2023.00038>
- Prezident Respubliki Uzbekistan. (2022). *2022–2026 yillarga mo'ljallangan Yangi O'zbekistonning taraqqiyot strategiyasi to'g'risida"gi PF–60-son farmoni*. Qonunchilik ma'lumotlari milliy bazasi. <https://lex.uz>
- Prezident Respubliki Uzbekistan. (2023, sentabr 11). *"O'zbekiston–2030 strategiyasi to'g'risida"gi PF–158-son farmoni* [Decree No. PF–158 on the Uzbekistan–2030 Strategy]. Qonunchilik ma'lumotlari milliy bazasi. <https://lex.uz>
- Shargorodskiy, M. D. (1948). *Kurs ugolovnogo prava. Tom 3: Ugolovnyy zakon* [Course of criminal law. Vol. 3: Criminal law]. Moskva: Yuridicheskoe izdatel'stvo.
- Tesfay, L. M. (2024). Trial in Absentia in Ethiopia: Legal and Practical Appraisal. *Mizan Law Review*, 18(1), 161–200. <https://doi.org/10.4314/mlr.v18i1.6>

-
- Zaripov, Z. S., & Pulatov, Yu. S. (2016). *Kriminologiya: Darslik* [Criminology: Textbook]. Toshkent: O‘zbekiston Respublikasi IIV Akademiyasi.
- Zelepukin, R. V. (2023). Trends And Problems Of Modern Law Review Of The Vii International Scientific And Practical Conference “Plevako Tambov Legal Readings.” *Gosudarstvo I Pravo*, 2023(10), 167–175.
<https://doi.org/10.31857/S102694520028159-5>