A COMPARATIVE ANALYSIS OF THE CRIMINAL CODES OF THE REPUBLIC OF UZBEKISTAN AND THE PEOPLE'S REPUBLIC OF CHINA

Yu Qiyang
Xiangtan University, China
1092675775@qq.com

Abstract. *This article provides a comparative legal analysis of the criminal legislation of the Republic of Uzbekistan and the People's Republic of China. The study focuses on the principal structural and substantive differences between the Criminal Code of Uzbekistan and the Criminal Law of the People's Republic of China, including the concept of crime, classification of criminal offences, age of criminal responsibility, forms of guilt, system of criminal punishments, imprisonment, life imprisonment, the death penalty, corporate criminal liability, and the treatment of juvenile offenders. The research applies comparative legal, formal-legal, systemic, and structural-functional methods. Particular attention is given to the differences between the Uzbek model, which expressly classifies crimes according to their social danger, and the Chinese model, which structures criminal liability through General and Specific Provisions and a differentiated system of principal and supplementary punishments. The study demonstrates that the two jurisdictions share fundamental principles of legality, culpability and proportionality, while differing considerably in the organization of criminal offences and punishment.*

Keywords *criminal law; Criminal Code; Uzbekistan; China; comparative law; criminal liability; punishment; imprisonment; death penalty; juvenile justice.*

Аннотация . *В статье представлен сравнительно-правовой анализ уголовного законодательства Республики Узбекистан и Китайской Народной Республики. Исследование сосредоточено на основных структурных и содержательных различиях между Уголовным кодексом Республики Узбекистан и Уголовным законом Китайской Народной Республики, включая понятие преступления, классификацию уголовных правонарушений, возраст наступления уголовной ответственности, формы вины, систему уголовных наказаний, лишение свободы, пожизненное лишение свободы, смертную казнь, уголовную*

ответственность юридических лиц, а также особенности обращения с несовершеннолетними правонарушителями. В исследовании применяются сравнительно-правовой, формально-юридический, системный и структурно-функциональный методы. Особое внимание уделяется различиям между узбекской моделью, в которой преступления прямо классифицируются в зависимости от степени их общественной опасности, и китайской моделью, в которой уголовная ответственность структурируется посредством Общей и Особенной частей, а также дифференцированной системы основных и дополнительных наказаний. Исследование показывает, что обе юрисдикции основываются на фундаментальных принципах законности, виновности и соразмерности наказания, однако существенно различаются в вопросах организации состава преступлений и системы уголовных наказаний.

Ключевые слова: *уголовное право; Уголовный кодекс; Узбекистан; Китай; сравнительное правоведение; уголовная ответственность; наказание; лишение свободы; смертная казнь; ювенальная юстиция.*

INTRODUCTION

Criminal law represents one of the fundamental mechanisms through which a state protects individuals, public interests, property, public order and national security. Although criminal legislation is influenced by universal principles of legality, culpability and justice, individual states develop different criminal-law models according to their constitutional structures, legal traditions, social conditions and legislative policies.

The Republic of Uzbekistan and the People's Republic of China provide an important basis for comparative legal research. Both countries have codified criminal legislation and have undertaken substantial legal reforms. At the same time, their criminal legislation demonstrates significant differences in the classification of crimes, criminal sanctions, juvenile responsibility, corporate liability and the organization of the punishment system.

The purpose of this article is to identify the principal similarities and differences between the criminal-law systems of Uzbekistan and China and to determine how these differences are reflected in criminal responsibility and punishment.

Research objectives are:

compare the general structure of criminal legislation;

examine the classification of criminal offences;

compare the minimum age of criminal responsibility;
compare principal and supplementary punishment systems;
analyze life imprisonment and the death penalty;
compare juvenile criminal responsibility;

The study is based on the Criminal Code of the Republic of Uzbekistan, the Criminal Law of the People's Republic of China, and relevant legislative materials. Comparative legal, formal-legal, systemic, and structural-functional methods are applied to identify similarities and differences in the criminal-law systems of the two countries. The research is primarily normative and doctrinal and focuses on the structure, principles, classification of crimes, criminal responsibility, and punishment systems.The comparative analysis demonstrates that Uzbekistan and China have codified criminal-law systems with common legal foundations but different legislative structures and approaches. The Uzbek Criminal Code contains General and Special Parts and expressly classifies crimes into four categories according to their nature and degree of social danger. Chinese criminal legislation is similarly divided into General and Specific Provisions but does not use the same four-category classification.[22] Important differences are also observed in the regulation of the age of criminal responsibility, forms of guilt, and the system of criminal punishments.

The comparison further shows significant differences concerning imprisonment, life imprisonment, the death penalty, and corporate criminal liability. Uzbekistan does not apply the death penalty, while Chinese criminal law retains it together with a two-year reprieve mechanism and judicial review. Chinese legislation expressly provides for criminal liability of entities in cases established by law, whereas Uzbek criminal law is primarily based on individual criminal responsibility. The comparative material also demonstrates the importance of examining the relationship between administrative and criminal liability, including the example of public-order offences discussed in the uploaded comparative study.

The comparison demonstrates that both systems recognize legality and culpability, but organize criminal liability differently. Uzbekistan explicitly classifies crimes according to their social danger, while China relies more heavily on individual offence provisions, circumstances and statutory sanctions.The punishment systems also differ. Uzbekistan has developed a broad range of non-custodial punishments, while China distinguishes principal and supplementary

Criminal Code of the Republic of Uzbekistan, adopted on 22 September 1994, No. 2012-XII; Criminal Law of the People's Republic of China, adopted on 1 July 1979.[22]

punishments, including deprivation of political rights and confiscation of property.The most significant substantive difference is the continuing existence of the death penalty in Chinese criminal law. Chinese legislation provides procedural limitations and a two-year reprieve mechanism. Uzbekistan instead relies on life imprisonment as an exceptional punishment for specified offences.Juvenile criminal responsibility demonstrates both convergence and divergence. Both countries recognize differentiated treatment of minors, while China has introduced specific provisions for extremely serious offences committed by persons below the general age of responsibility.

General structural comparison[23]

Criterion	Uzbekistan	China
Principal criminal-law instrument	Criminal Code of the Republic of Uzbekistan	Criminal Law of the PRC
Main comprehensive codification	1994	1997
General part	Yes	Yes
Special/specific part	Yes	Yes
Classification of crimes	Four categories based on social danger	No identical four-category statutory system
Principal punishments	Fine, community work, correctional measures, restriction of liberty, imprisonment, life imprisonment and others	Non-custodial correction, criminal detention, fixed-term imprisonment, life imprisonment, death penalty
Supplementary punishments	Deprivation of certain rights and other measures	Fine, deprivation of political rights, confiscation of property
Corporate criminal liability	More limited/specific	Expressly recognized for specified offences

The general structural comparison demonstrates that the criminal-law systems of Uzbekistan and China are based on comprehensive codification and contain both General and Special (Specific) Parts. The principal criminal-law instrument in Uzbekistan is the Criminal Code of the Republic of Uzbekistan, adopted in 1994, while China's principal instrument is the Criminal Law of the People's Republic of China, comprehensively revised in 1997.[24] Both systems

Criminal Law of the People's Republic of China. (1997). Adopted on 1 July 1979; revised on 14 March 1997; effective from 1 October 1997. National People's Congress of the People's Republic of China.[23]
National Database of Legislation of the Republic of Uzbekistan (LexUZ). Criminal Code of the Republic of Uzbekistan. https://www.lex.uz/uz/acts/111457[24]

regulate the general principles of criminal liability and define specific criminal offences and corresponding sanctions. A major difference concerns the classification of crimes: Uzbek criminal legislation expressly divides crimes into four categories according to their degree of social danger, whereas Chinese criminal law does not provide an identical four-category statutory classification and instead differentiates criminal conduct through the structure of offences and applicable sentencing provisions. The punishment systems also differ: Uzbekistan provides fines, community-related and corrective measures, restriction of liberty, imprisonment and life imprisonment, while China distinguishes principal and supplementary punishments and includes criminal detention, fixed-term imprisonment, life imprisonment and the death penalty among its principal punishments.[25] Supplementary punishments in China include fines, deprivation of political rights and confiscation of property, while Uzbek legislation provides deprivation of certain rights and other supplementary measures. Another significant distinction concerns corporate criminal liability: Chinese criminal law expressly recognizes liability for certain offences committed by legal entities or "units," whereas Uzbek criminal liability is primarily based on individual offenders and does not establish an equivalent general system of corporate criminal liability. Thus, although both countries possess codified criminal-law systems with General and Special/Specific Parts, they differ considerably in the classification of offences, the structure of punishments, and the legal treatment of corporate criminal conduct. The comparative experience is relevant to further research on corporate crime, cybercrime, economic offences, juvenile justice and alternative punishments. However, comparative law should not be understood as an automatic process of transferring foreign provisions into domestic legislation; constitutional, institutional and socio-economic contexts must be considered.

CONCLUSION

The comparative analysis establishes that the criminal legislation of Uzbekistan and China combines common fundamental principles with substantially different legislative techniques: Uzbekistan applies an explicit four-level classification of crimes according to their social danger and provides a diversified system of non-custodial punishments, while China follows a different structural model based on principal and supplementary punishments, retains the death penalty, including death with a two-year reprieve, and expressly recognizes criminal liability of entities for specified offences. Both systems provide

[25] National People's Congress — Criminal Law of the PRC

differentiated approaches to juvenile criminal responsibility and continue to adapt their legislation to changing social and economic conditions. The comparison confirms the value of comparative jurisprudence for understanding different approaches to criminalization, punishment, corporate liability, and juvenile justice, while future research may focus on specific offences such as homicide, corruption, fraud, drug-related crimes, cybercrime, environmental crimes, and offences against public order, including a comparison of statutory sanctions and judicial practice.

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