



LEGAL ANALYSIS OF PASSIVE ACTIONS SUCH AS "LIKING" AND "COMMENTING" ON EXTREMIST AND TERRORIST CONTENT

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Abstract: In this study, the legal consequences of passive online behaviors - such as liking, commenting, or saving extremist and terrorist materials - were analyzed through a comparative perspective. The legislation and judicial practice of the United States, Germany, France, and Tajikistan were examined.

It was found that, although "likes" and comments are not explicitly criminalized in most Western legal systems, they may constitute public approval or dissemination of extremist ideology under certain circumstances. Tajikistan's recent reform of 2025, which decriminalized "likes" on extremist content, was discussed as a significant example of legal evolution. Comparative results demonstrated that democratic states seek to balance freedom of expression with national security concerns. Recommendations were proposed for harmonizing legal responses to online extremism.

Keywords: extremism, terrorism, passive actions, legal liability, social media, comparative law

Introduction: Information is being produced in large quantities and spreading rapidly. Adapting to our world, which is changing incessantly and at an unprecedented pace, is becoming increasingly difficult, and living conditions are changing rapidly.

In today's era of rapidly developing technologies, young people encounter various ideas through the Internet. There are instances where young people with little social experience, who have not found their place in life, fall under the influence of radical ideas.

Terrorist organizations and extremist structures, well aware of this, are directing their propaganda precisely at this vulnerable segment. They exploit the national and religious sentiments of young people and distort the true values of Islam. Through this, they attempt to justify their malicious goals by portraying violence as a form of faith.

Literature analysis and method: In the 21st century, social activity in the digital environment - including online actions such as "likes" and "comments" - has become an integral part of the information dissemination process. In many countries, these activities are considered within the framework of citizens' freedom of speech, but in some cases they are also interpreted as indirect participation in the promotion of the ideas of extremism and terrorism. Existing literature on the legal assessment of these processes was reviewed.

The following methods were used in the research: analysis of legal documents, drawing conclusions based on statistical data, content analysis. At the same time, previously conducted scientific research and reports of international organizations were used.

Also, based on the Constitution of the Republic of Uzbekistan, the Criminal Code, and other regulatory documents, the existing gaps, especially the legal clarity of the concept of passive actions, were thoroughly analyzed.

Discussion: As our President said, "If the economy is the body of society's life, then spirituality is its soul and spirit. Having decided to build a new Uzbekistan, we rely on two strong pillars. The first is a strong economy based on market principles. The second is a strong spirituality based on the rich heritage of our ancestors and national values." [1]

This idea defines the spiritual and material foundations of the New Uzbekistan. Indeed, even if a society devoid of spirituality achieves economic growth, its heart remains empty. This space will become a "favorable arena" for various threats, in particular, extremist and terrorist ideas that negatively affect the minds of young people.

Spirituality is the heart of society. If this heart weakens, various threats may occupy it. Unfortunately, it is known that among such threats, such vices as extremism and terrorism pose a serious threat to the minds of young people.

In today's era of globalization, the flow of information has intensified dramatically, and young people are facing various ideas through online networks. Some young people become susceptible to alien ideas due to spiritual emptiness, social injustice, problems in the family environment, or inability to find their place. Therefore, ensuring not only physical security, but also spiritual security has become a priority task for society.

Extremism and terrorism are vices that pose a serious threat not only to the lives of citizens, but also to the spiritual foundations of society. First of all, they try to attract people to their ranks by poisoning the minds of young people and distorting national values and religious concepts.

After independence, important reforms were carried out in the Republic of Uzbekistan on issues of religious freedom and belief. At the same time, against the backdrop of globalization processes and the mass promotion of information and communication technologies, issues of religious extremism and terrorism are manifesting themselves in new forms. Especially among young people, extremist ideas spread through social networks are being activated through "passive actions" - like, write comments, or save content.

The above-mentioned passive activities are often assessed as "unimportant." But through these actions, the audience of religious extremist ideas expands, arouses interest in others, and indirectly becomes propaganda.

In the global digital environment, social networks have become not only a means of information exchange, but also the main platform for shaping public opinion. The issue of content popularization is being studied not only from a technical or marketing point of view, but also on legal and ethical grounds.

In terms of platforms, Instagram (Meta, 2023) has officially designated "like," "comment," and "save" actions as factors that increase content ratings.[2] In the YouTube recommendation system, "like" and "comment" are recognized as the most important interactive signals.[3] On TikTok[4] and X (Twitter), there is also official information stating that active user actions directly affect the visibility of content and the recommendation system.[5]

Although these actions are not considered reposts, they increase the visibility of the post through the algorithm and deliver it to a wider audience.

As evident from the above sources, passive actions such as "likes" and "comments" on Internet social network platforms are officially recognized as factors in popularizing content.

Thus, it is determined that the popularization of content on social networks is not only the result of user activity but also an algorithmic process prescribed by law. In Germany, the

USA, and France, this process has been established not only as information technology but also as an integral part of the legal system.

In the United States, under the "Material Support to Terrorism" law, virtual aid given to an organization registered as a terrorist organization by the U.S. government is considered a crime.[6]

In the German legal system, "likes" and "comments" on social networks also have legal significance. Comments and "likes" supporting extremist or terrorist content can be qualified as a crime under Articles 86 and 130 of the German Criminal Code. However, the courts also consider the principle of "freedom of opinion," meaning that liability arises only when the content and the specific intent of the user are proven.[7]

According to Article 421-2-5 of the French Criminal Code, direct incitement to terrorist acts or public praise of these acts is punishable by imprisonment for up to five years and a fine of 75,000 euros.[8]

In Tajikistan, amendments to the Criminal Code in 2025 removed "likes" and other reactions from criminal liability.[9]

The main legal gap in assessing the actions of persons involved in disseminating religious extremist ideas on social networks is the absence of clearly defined measures in the legislation of the Republic of Uzbekistan, especially for passive actions such as "likes" and "comments."

Article 33 of the Constitution of the Republic of Uzbekistan states: "Everyone has the right to freedom of thought, speech, and belief. Everyone has the right to seek, receive, and disseminate any information. The state creates conditions for ensuring access to the Internet."[10]

However, restrictions on the right to seek, receive, and disseminate information are permitted only in accordance with the law and within the limits necessary for the purposes of "protecting the constitutional order, public health, public morality, the rights and freedoms of other persons, ensuring public safety and public order, as well as preventing the disclosure of state secrets or other secrets protected by law," as indicated in part 4 of Article 33 of the Constitution.[11]

Although actions such as "like" or "comment" on extremist and terrorist content on social networks may seem like passive activities at first glance, in the modern digital environment, they perform the function of algorithmic popularization of content. This can be presented as a person who indirectly assists the user in the illegal activity of the author of the material in a certain sense. In this case, the person's actions should be evaluated in connection with the subjective side (intention and purpose) and the objective side (the result of the popularization of prohibited materials).

In conclusion, it can be said that passive online activities are not controlled within the framework of the law in the legislation of Uzbekistan. Such a lack of control can lead to the spread of the ideas of extremist and terrorist organizations. Activities carried out passively through the Internet and social networks are a source of real threats. Therefore, it is advisable to enrich legislative acts that strengthen the legal assessment of these actions with specific norms.

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