

# ISSUES OF IMPROVING STATE POLICY IN THE FIELD OF COMBATING CORRUPTION IN UZBEKISTAN

Aliyev Bekdavlat

Tashkent State University of Economics

Doctor of Philosophy, Professor Tashkent, Uzbekistan.

Email: Jahangirbayaliev1972@gmail.com

---

## **Abstract**

The article analyzes the state policy, legislative reforms and international experiences in combating corruption in Uzbekistan. On the initiative of President Shavkat Mirziyoyev, a wide range of measures are being implemented in this area, including: the establishment of an Anti-Corruption Agency, the introduction of the E-Anticor.uz electronic platform and mobile applications, the establishment of a compliance control system in all state bodies, and the expansion of communication with the public in the activities of the Ombudsman. The article also studies the experience of countries such as Singapore, the USA, Canada, Denmark and Finland. It is noted that the introduction of such effective systems will help reduce corruption.

**Keywords:** Corruption, Fight against corruption, Public policy, Compliance control, Anti-corruption agency, E-Anticor.uz, Code of Ethics, Officials, Property declaration, Public control, Public service, Legislative reforms, Transparency, Transparency, Ombudsman, International ratings, Civil society

## **Introduction**

Today, the problem of corruption can be encountered in almost every country in the world. Corruption has been one of the topics that has been widely discussed internationally in recent years as a transnational crime.

It should be emphasized that the harm caused by corruption is considered equal for all countries, and this vice negatively affects various spheres of the state, in particular, the reforms being carried out in the political, economic, social, and cultural spheres, as well as the country's image and investment attractiveness in the international arena.

As the President of the Republic of Uzbekistan Sh.M. Mirziyoyev noted in his Address to the Oliy Majlis of the Republic of Uzbekistan on January 24, 2020, "The vice of corruption in our society, in its various forms, is hindering our development. If we do not prevent this evil

scourge, it is impossible to create a truly business and investment environment, and in general, no sector of society will develop.”<sup>1</sup>

The primary legal framework for combating corruption is reflected in a number of international legal norms, including:

The United Nations Convention against Corruption, adopted on October 31, 2003;

The United Nations Convention against Transnational Organized Crime, adopted on November 15, 2000;

The Council of Europe Convention on Criminal Liability for Corruption of January 27, 1999;

The Convention on Civil Liability for Corruption of November 4, 1999, and others.

In addition to the above-mentioned international norms, Uzbekistan ratified the United Nations Convention against Corruption in 2008, as well as the Istanbul Action Plan on Combating Corruption adopted within the framework of the Organization for Economic Cooperation and Development in 2010.

It should be noted that in our country, comprehensive measures are being systematically implemented to combat corruption and prevent the commission of this type of crime. A number of regulatory legal acts aimed at eliminating systemic problems that cause corruption in all spheres of state and public life have been adopted and put into practice.

In particular, the Decree of the President of the Republic of Uzbekistan No. PF-6013 “On Additional Measures to Improve the Anti-Corruption System in the Republic of Uzbekistan” dated June 29, 2020 was adopted, and on the basis of this decree, the Anti-Corruption Agency was established to formulate and implement state policy in the field of preventing and combating corruption, as well as state and other programs aimed at eliminating the systemic causes and conditions of corruption-related offenses and increasing the effectiveness of anti-corruption measures.

By the decree, the agency was entrusted with the tasks and powers of the national coordinator of the Republic of Uzbekistan for ensuring the implementation of the work and recommendations developed within the framework of the Istanbul Action Plan of the Organization for Economic Cooperation and Development's Anti-Corruption Network for Eastern Europe and Central Asia, implementing measures related to the implementation of the provisions of the UN Convention against Corruption and other international treaties of the Republic of Uzbekistan in the field of combating corruption, and coordinating activities in this area, as well as organizing, together with civil society institutions, the creation of a national index assessing the level of corruption across regions, sectors of the economy and other areas. It is also important that this decree stipulates the phased implementation of the following measures, in particular:

phased introduction of an internal anti-corruption control system ("compliance control") in all state and economic management bodies in 2020-2021;

---

<sup>1</sup> Ўзбекистон Республикаси Президенти Ш.М.Мирзиёевнинг 2022 йил 21 январь куни Ўзбекистон Республикаси Олий Мажлисиغا Мурожаатномаси. <https://www.press.uz/>. – Ўзбекистон Республикаси Президенти Матбуот хизмати расмий веб-сайти.

introduction of the E-Anticor.uz electronic platform, which will allow monitoring and assessing the activities of state and management bodies in the field of combating corruption, as well as the effectiveness of state and other programs in this area;

introduction of special mobile software that will allow reporting on corruption cases<sup>2</sup>.

Analysis of foreign practice has shown that in countries with a market economy based on laws, one of the important tools for ensuring the effective operation of state and private sector participants in the field of combating corruption in accordance with international standards, legislation and other modern methods is the organization of a system of anti-corruption compliance control.

Anti-corruption compliance control is a preventive system that organizes the activities of state and economic management bodies, economic entities in accordance with international standards, laws and other regulatory legal acts in the field of combating corruption, includes timely identification and prevention of corruption risks, conflicts of interest, reporting on violations of the law and corruption-related offenses.

It should be noted that in order to implement the ongoing reforms, on February 4, 2020, the Ombudsman of the Oliy Majlis approved a program of departmental measures to combat corruption, and it is noteworthy that mechanisms for citizens and legal entities to report corruption have been introduced, in particular, today:

- The Ombudsman’s hotline “10-96” and virtual reception are operating;
- Appeals from citizens and legal entities on corruption cases and other illegal actions of employees are analyzed, the results of which are discussed at meetings of the ethics commission.
- For persons who are first hired to work in the Ombudsman’s Secretariat, the main obligations, prohibitions, restrictions, requirements and departmental ethics rules are explained to them no later than 3 working days.
- If we pay attention to corruption-related appeals to the Ombudsman, during the first 6 months of 2020, in accordance with Article 26 of the Law of the Republic of Uzbekistan “On Combating Corruption”, the Ombudsman sent 17 appeals to the Prosecutor General's Office (21 in 2019). 2 of these appeals were approved.

As a result of the reforms in this area, Uzbekistan ranked 157th out of 180 countries in the “Corruption Perception Index” published annually by the international non-governmental organization Transparency International, while in 2017 it ranked 158th and in 2018 it ranked 153rd with 25 points, moving up 5 places<sup>3</sup>.

In addition, in the "Freedom from Corruption" indicator of the Rule of Law Index of the World Justice Project, Uzbekistan ranked 95th in 2019 with a score of 0.38, and in 2020, it ranked 89th among 128 countries with a score of 0.40, rising 6 places, which is the result of the systematic anti-corruption reforms being carried out in our country<sup>4</sup>.

---

<sup>2</sup> Ўзбекистон Республикаси Президентининг 2020 йил 29 июндаги ПФ-6013-сонли “Ўзбекистон Республикасида Коррупцияга қарши курашиш тизимини такомиллаштириш бўйича қўшимча чора-тадбирлар тўғрисида”ги фармони. Қонун ҳужжатлари маълумотлари миллий базаси, 30.06.2020-й., 06/20/6013/1002-сон.

<sup>3</sup> <https://www.transparency.org/en/countries/uzbekistan>

<sup>4</sup> <https://worldjusticeproject.org/sites/default/files/documents/Uzbekistan>

Despite the measures taken to prevent corruption in our country, cases of officials committing corruption-related crimes are still encountered in law enforcement practice. According to statistical data, during 2017-2019, the issue of criminal liability of 6,127 officials for accepting bribes was resolved, in the first six months of 2019, 590 criminal cases related to corruption were initiated against a total of 661 officials of various categories, 25 of the officials who committed corruption and whose crimes were exposed worked in ministries, departments, enterprises and organizations at the republican level, 36 at the regional level, and 476 at the district and city levels, and it is worrying that corruption crimes are still not decreasing mainly in the areas of medicine, education, public service provision, in particular, related to issuing licenses and permits for the activities of business entities<sup>5</sup>.

If we look at the experience of foreign countries, we can see that in many countries, in particular in developed countries such as Singapore, Great Britain, Germany, and the USA, there are laws "On Civil Service", "On Public Control in Civil Service", as well as Codes of Ethics regulating the norms of behavior of civil servants, officials, and judges. It is noteworthy that these norms also determine the exact amount of gifts or presents that civil servants can receive. For example, in the USA this amount is set at 20 US dollars, in France at 35 euros, in Great Britain at 140 pounds, in Russia at 3,000 rubles, in Canada it is strictly forbidden for officials to accept gifts in the form of money, and in Singapore it is forbidden for officials working in government to receive payments such as fees, loans, and securities<sup>6</sup>.

It is worth noting that the Ministry of Justice of the Republic of Uzbekistan has implemented the above foreign experience in the ministerial system, according to which employees are prohibited from receiving gifts from citizens, employees of other organizations, including during business trips to various places and foreign countries. A procedure has been introduced for transferring gifts received during foreign trips to the ministry. In addition, one of the methods used today by advanced foreign countries in the process of effectively combating corruption is the mandatory declaration of property, income and large-scale expenses of civil servants. The main goal of this is to prevent officials from receiving illegal income and eliminate conflicts of interest. This method is currently used in more than 150 countries in the civil service<sup>7</sup>.

It is worth noting that the system of asset declarations by civil servants is a powerful tool for preventing corruption, detecting illicit enrichment and conflicts of interest. According to the World Bank, most member states of the Organization for Security and Cooperation in Europe have established a system of asset declarations open to the general public. Current international anti-corruption standards, including the UN Convention against Corruption and a number of other legal instruments, recognize that asset declarations by civil servants are an effective tool against corruption. In this regard, according to the Danish experience, the Danish Act "On Corruption", adopted in 2002, is the main regulatory legal document that sets the priority of

---

<sup>5</sup> Бош прокуратура коррупция етказган зарар миқдорини маълум қилди. <https://www.gazeta.uz/oz/2019/07/31/corruption/>

<sup>6</sup> Б.Исмоилов., Ф.Йўлдашов. Халқаро рейтинг ва индексларда Ўзбекистон мавқеини юксалтиришнинг муҳим жиҳатлари. <https://uza.uz/oz/posts/>.

<sup>7</sup> Б.Исмоилов., У.Абдурахмонов. Таъсирчан жамоатчилик назорати коррупцияга қарши курашишда қай даражада муҳим? <https://uza.uz/oz/posts/>.

measures to prevent corruption and has an effective deterrent effect. In particular, the provisions of this law oblige representatives of the Danish government to annually publish information on their property and personal income, and prohibit them from owning shares in foreign companies, which helps to ensure the openness and transparency of their management activities and prevent corruption.

An important factor in preventing corruption is that civil servants in the country have a high level of social protection: they can count on the right to free medical care and education, as well as social guarantees, which significantly reduces the likelihood of corruption.

In addition, in Finland, the Ministry of Finance is the main coordinating body for the ethics of civil servants. The Ministry of Finance determines the procedure for granting and receiving benefits and gifts for government officials, and also has the authority to audit the income of civil servants. The National Audit Office of Finland (NAOF) audits central government finances twice a year in order to prevent corruption in the country, monitors tax policy, and controls the financing of political parties and election campaigns.

The above analysis shows that the following measures should be taken in our country to combat corruption and prevent this type of crime:

firstly, although the draft law "On Civil Service" has been developed and is being discussed, this law has not yet been adopted. Therefore, it is advisable to adopt the Law of the Republic of Uzbekistan "On Civil Service", as well as the Code of Ethics for civil servants, and to reflect in these norms the norms that civil servants must follow in the course of their activities and the reasons and conditions that create opportunities for corruption;

secondly, it is advisable to implement the norms regulating the declaration of property, income and large-scale expenses of civil servants into the national legislative system, having thoroughly studied the experience of international and advanced foreign countries. This, in turn, allows regular monitoring of changes in the assets of officials, and the public nature of declarations, that is, their openness to the public, undoubtedly increases their importance in the fight against corruption<sup>8</sup>.

## REFERENCES

1. Ўзбекистон Республикаси Президенти Ш.М.Мирзиёевнинг 2022 йил 21 январь куни Ўзбекистон Республикаси Олий Мажлисга Мурожаатномаси. <https://www.press.uz/>. – Ўзбекистон Республикаси Президенти Матбуот хизмати расмий веб-сайти [1. Address of the President of the Republic of Uzbekistan Sh.M. Mirziyoyev to the Oliy Majlis of the Republic of Uzbekistan dated January 21, 2022. <https://www.press.uz/>. – Official website of the Press Service of the President of the Republic of Uzbekistan].
2. Ўзбекистон Республикаси Президентининг 2020 йил 29 июндаги ПФ-6013-сонли “Ўзбекистон Республикасида Коррупцияга қарши курашиш тизимини такомиллаштириш бўйича қўшимча чора-тадбирлар тўғрисида”ги фармони. Қонун ҳужжатлари маълумотлари миллий базаси, 30.06.2020-й., 06/20/6013/1002-сон [Decree of the President of the Republic of Uzbekistan No. PF-6013 dated June 29, 2020 “On additional

<sup>8</sup> <http://www.ombudsman.uz/uz/docs/ozbekistonda-korrupsiyaga-qarshi-kurashish-sohasida-davlat-siyosatini-takomillashtirish-masalalari>.

measures to improve the anti-corruption system in the Republic of Uzbekistan". National database of legislative documents, 06/30/2020, No. 06/20/6013/1002.].

3. <https://www.transparency.org/en/countries/uzbekistan>

4. <https://worldjusticeproject.org/sites/default/files/documents/Uzbekistan>

5. Бош прокуратура коррупция етказган зарар миқдорини маълум қилди [The Prosecutor General's Office reported the amount of damage caused by corruption.]. <https://www.gazeta.uz/oz/2019/07/31/corruption/>

6. Б.Исмоилов., Ф.Йўлдашов. Халқаро рейтинг ва индексларда Ўзбекистон мавқеини юксалтиришнинг муҳим жиҳатлари [Б. В. Ismailov, F. Yuldashev. Important aspects of improving Uzbekistan's position in international rankings and indices. <https://uza.uz/oz/posts/>.]. <https://uza.uz/oz/posts/>.

7. Б.Исмоилов., У.Абдурахмонов. Таъсирчан жамоатчилик назорати коррупцияга қарши курашишда қай даражада муҳим? [Б. Ismailov., U. Abdurahmanov. How important is effective public oversight in the fight against corruption?]. <https://uza.uz/oz/posts/>.

8. <http://www.ombudsman.uz/uz/docs/ozbekistonda-korrupsiyaga-qarshi-kurashish-sohasida-davlat-siyosatini-takomillashtirtish-masalalari>