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UZBEKISTAN ANTI-CORRUPTION DIGEST

INTRODUCTORY ARTICLE

ANTI-CORRUPTION POLICY OF THE REPUBLIC OF UZBEKISTAN: INTERNATIONAL STANDARDS AND NATIONAL SYSTEM

Akmal SAIDOV*



* Deputy Chairman of the National Anti-Corruption Council of the Republic of Uzbekistan

Abstract: *Information on international anti-corruption standards, the negative impact of corruption on the state and society, including human rights, as well as information on Uzbekistan's new anti-corruption policy is presented.*

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The fight against corruption remains one of the most urgent problems of today in the modern world. The fight against this scourge extends to many countries of the world. The Republic of Uzbekistan also contributes to the fight against corruption. At present, a number of anti-corruption programs to combat corruption has been adopted in our country, and large-scale work is underway on them.

Taking into account the fact that the issue of protecting human rights and interests is at the center of fundamental reforms carried out in Uzbekistan, the consistent fight against corruption, which leads to gross violations of human rights, has become one of the most important areas of state policy. By the law of July 7, 2008, Uzbekistan became a member-state to the UN Convention against Corruption, and in 2010 became a member-state to the Istanbul Action Plan of the Anti-Corruption Network of the Organization for Economic Cooperation and Development.

Corruption is a factor complicating the implementation of the Constitution and laws of the Republic of Uzbekistan, international human rights standards that serve to ensure human rights and freedoms. The scale of corruption has a negative impact on economic development.

As the President of the Republic of Uzbekistan Shavkat Mirziyoyev noted, **"The Development Strategy of new Uzbekistan provides for building a corruption free country. Today this goal is becoming the unifying factor of our society"**.

International cooperation in the fight against corruption

International human rights organizations, including the UN statutory human rights bodies and treaty committees, pay special attention to the negative impact of corruption on the enjoyment of human rights and give their recommendations for the eradication of corruption. UN Secretary-General António Guterres writes: "Corruption is the criminal, immoral and ultimate betrayal of public trust. It is especially destructive during crises like pandemics".

Corruption exists in all countries, regardless of their political and economic system and level of development. Corruption is a transnational reality, and fighting it requires international cooperation beyond national policies. The UN adopted a number of international documents on combating corruption, including the Declaration against Corruption and Bribery in International Commercial Transactions of 1996, the International Code of Conduct for Public Officials of 1996, the Convention against Transnational Organized Crime of 2000; in 2003 the Convention against Corruption and others were adopted.

Also, in accordance with the resolution of the UN General Assembly of November 21, 2003, since 2004, "December 9 -International Anti-Corruption Day" has been celebrated.

The Declaration against Corruption and Bribery in International Commercial Transactions highlights the need for effective and concrete measures to combat corruption, in particular against all forms of corruption in international business transactions, including the effective enforcement of existing laws in each UN Member State.

The UN Convention against Transnational Organized Crime considers corruption as a phenomenon of transnational crime. The UN Convention against Corruption emphasizes that corruption has become a transnational phenomenon, and not just a problem of individual states. The convention also stated that all states have responsibility to prevent corruption and that civil society institutions and citizens must cooperate with state bodies to ensure the effectiveness of efforts in this area.

Corruption has a direct negative impact on the application of human rights.

First, corruption deprives society of important resources that it could use to meet its needs for health care, education, improved infrastructure and security.

Secondly, corruption has a direct negative impact on the functioning of state bodies and organizations, in particular, the justice system. Corruption destroys the credibility of public authorities, including depriving the courts of the ability to guarantee the protection of human rights.

Corruption has a devastating effect on the use of goods and services related to human rights. It undermines the implementation of state policy in various areas, especially the implementation of social programs, the process of ensuring the rule of law.

Because of corruption, the most vulnerable people and segments of the population are the first to suffer. Therefore, anti-corruption measures must comply with human rights standards. Human rights norms, principles and mechanisms strengthen the effectiveness of anti-corruption measures.

Corruption is the biggest obstacle to the realization of personal, political, social, economic and cultural human rights. Corruption violates the principles of openness, transparency, accountability, non-discrimination and protection of human rights related to human participation in all spheres of public life. Compliance with these principles is one of the most effective means of combating corruption.

State Anti-Corruption Policy in Uzbekistan

Consistent measures are being taken in our country to introduce a system of prevention and uncompromising fight against corruption based on advanced international standards. In particular, the necessary conditions have been created for effective and efficient public control over public administration by ensuring openness, publicity and transparency of the activities of state bodies and organizations, as well as accountability of officials to the population.

All bodies of state power and administration, including the Accounts

Chamber, the Central Bank, courts and the prosecutor's office and their structural and territorial divisions, as well as business entities and state unitary enterprises with a state share of 50 percent or more in the authorized fund (authorized capital) will post information, which has social significance, as Open Data.

The steady improvement in the situation with the prevention of corruption as a result of the reforms carried out in the Republic of Uzbekistan in recent years is receiving international recognition. This can be seen in the improvement of Uzbekistan's position in international rankings in this area. An important factor in this is the course to uncompromising fight against corruption being implemented in the country. The following aspects of it can be noted:

Firstly, the strong political will of the head of state for the fight against corruption, his strategy, carried out in accordance with the principles of system, consistency and openness, is a key success factor in this direction. Our President Sh. Mirziyoyev repeatedly emphasizes the importance of fighting against this scourge in his addresses and speeches. In his speech at the 75th session of the UN General Assembly, Sh.Mirziyoyev noted that one of the most pressing issues in the country awaiting solution is the systemic coordination and radical renewal of anti-corruption measures, the suppression of cases related to corruption in all areas of state and public construction . This initiative, put forward by the President, was confirmed by concrete measures aimed at improving the national legislative framework and enforcement of law practice in the field of combating corruption in Uzbekistan.

Secondly, the institutional framework for the fight against corruption and its prevention has been created. In both chambers of the Oliy Majlis, committees on combating corruption and, on judicial and legal issues have been established, state programs on combating corruption have been developed and implementation ensured. The Republican Interdepartmental Commission for Anti-Corruption and its territorial interdepartmental commissions have been reorganized into the National Anti-Corruption Council of the Republic of Uzbekistan and its territorial councils. A working body of the National Council, the Anti-Corruption Agency, was established. The Agency is entrusted with the task of ensuring the joint activities of state bodies, the media and civil society institutions.

Thirdly, national anti-corruption legislation has been brought into line with international standards. The accession of Uzbekistan to the UN Convention against Corruption laid the foundation for improving the legal framework for combating corruption. In our country, there are 210 normative legal acts which use the word "corruption". Important steps have been taken to implement the provisions of the UN Convention against Corruption in national legislation and enforcement of law practice. The adoption of the Law of the Republic of Uzbekistan "On combating corruption" in January 2017, in order to effectively fight corruption, made it possible to create a comprehensive system by combining the efforts and capabilities of state bodies and civil society institutions in the fight against corruption.

Decrees of the President of the Republic of Uzbekistan dated May 27, 2019 "On measures to further improve the anti-corruption system in the Republic of Uzbekistan", dated June 16, 2021 "On additional measures to ensure the openness of the activities of state bodies and organizations, as well as the effective implementation of public control", dated July 6, 2021 "On measures to create an environment of intolerance to corruption, a radical reduction in the factors of corruption in the field of state and public administration and expansion of public participation in it", resolutions dated July 6, 2021 "On additional measures for the effective organization of anti-corruption activities", dated January 12, 2022 "On measures to introduce a system for rating assessing the effectiveness of anti-corruption work" and other normative legal acts. These normative legal acts determine:

firstly, measures to improve the legal awareness and legal culture of the

population, the formation of an intolerant attitude towards corruption in society;

secondly, measures to prevent corruption in all spheres of state and public life;

thirdly, measures for the timely detection of corruption offenses, their suppression, elimination of the causes and conditions that create opportunities for them, strengthening liability for corruption offenses;

fourthly, measures to expand international cooperation in the fight against corruption.

Fourthly, the main goal of the ongoing anti-corruption measures is not only to combat the consequences of corruption, but also to eliminate the factors leading to manifestations of corruption, including work in the field of preventing corruption.

In particular, the followings have been introduced:

1) ensuring the openness and transparency of the activities of state bodies, including financial activities;

2) expansion of the list of information subject to open publication;

3) elimination of conflicts of interest in the exercise of state control over the activities of government bodies;

4) ensuring the inevitability of liability for corruption crimes;

5) strengthening the guarantees of state protection of persons reporting information about corruption offenses and their close relatives;

6) ensuring the maintenance of an open electronic register of persons found guilty of committing corruption offenses, the implementation of restrictions on persons included in it;

7) effective implementation of public control, as well as further strengthening the role of the chambers of the Oliy Majlis and political parties, the media;

8) introduction of a system for rating assessing the effectiveness of anti-corruption work;

9) reduction of the "human factor" in the public administration system, widespread introduction of digital technologies, simplification of procedures for the provision of public services, permits;

10) introduction of an open and transparent selection system that evaluates the intellectual potential, moral qualities of candidates;

11) strengthening the activities of internal anti-corruption structures (compliance control) in state bodies and departments;

12) regular training and assessment of knowledge of civil servants on corruption, introduction of a training system based on the "integrity vaccine";

13) systematic work to further improve the legal awareness and legal culture of the population in order to strengthen the intolerant attitude towards corruption in society.

At the same time, despite the systemic measures taken, cases of corruption persist in the use of budgetary funds, public procurement, capital construction, obtaining licenses and permits, allocating bank loans, and employment.

The Ministry of Justice conducted an anti-corruption expertize of 226 legislative acts, together with the relevant ministries and departments regulating construction, healthcare, higher education and public procurement issues, and identified 302 corruption factors in 75 of these documents. The categories of corruption offenses in our national legislation are also unclear. We often refer to giving and receiving bribes and other similar crimes as corruption crimes. However, as mentioned above, crimes that are not directly related to material interest can also be corruption.

Currently, the chambers of the Oliy Majlis are working on a bill on amendments and additions to the Criminal Code. The new draft Criminal Code also proposes to add a new term "corruption crimes" and specify corruption crimes with certain articles and paragraphs.

Development Strategy of New Uzbekistan: new anti-corruption challenges

In the Development Strategy of New Uzbekistan, identifying areas and sectors prone to corruption, improving the efficiency of the system for preventing corruption factors, and forming an uncompromising

attitude towards corruption in society became one of the goals of building a new Uzbekistan. The principle of "Legislation without corruption" is being implemented in the development of normative legal acts, measures are being taken to reduce the influence of the human factor and its interference in the provision of various public services, modern information technologies are being introduced in the fight against corruption.

In the Corruption Perception Index of the international organization *Transparency International* for 2021, our country improved its position by 6 points, ranking 140 out of 180 countries, and climbing 17 positions over the past five years. The report of the organization specifically notes that Uzbekistan serves as an example in Central Asia and has become one of the six countries in the world that have achieved the most stable growth rate over the past five years. Undoubtedly, the results of the index show that the fight against corruption in our country is irreversible, and practical and effective measures are being taken against this scourge.

The legislative base in the field of public procurement has been improved. A special information portal (www.xarid.mf.uz), a single database on public procurement has been created. As a result of the operations carried out, 5.8 trillion soums was saved. Since January 1, 2022, fully electronic procurement has been launched.

With the widespread use of digital technologies, effective mechanisms are being introduced to prevent corruption and abuse in lots of areas, such as issuing license plates for vehicles, providing notary and other public services, allocating land, and monitoring compliance with traffic rules.

Goals 83 and 84 of the Development Strategy of New Uzbekistan for 2022-2026, which is approved by the Decree of the President of the Republic of Uzbekistan dated January 28, 2022, provide for further strengthening the effectiveness of anti-corruption activities in Uzbekistan in the following areas:

– introducing of integrity standards in the civil service;

– improving the efficiency of the system for eliminating corruption factors;

– formation of an intolerant attitude towards corruption in society;

– establishing cooperation with civil society institutions in the fight against corruption;

– supporting for public control;

– strengthening of systemic preventive measures in the practice of combating corruption;

– introducing of a system of continuous improvement of knowledge of the population and civil servants in the field of combating corruption;

– ensuring the development of normative legal acts based on the principle of "legislation without corruption".

Totally 8 clauses of the state program for the implementation of the Development strategy of new Uzbekistan in the "Year of human dignity and active mahalla" provide for direct measures to combat corruption.

Anti-corruption legislation will not be effective enough without educational and promotional measures to protect human rights. In particular, it is important to train and improve the skills of judges, prosecutors and law enforcement officers on the application of anti-corruption laws and human rights. Such activities are carried out by the National Center for Human Rights. The Center regularly conducts trainings for senior officials of courts and law enforcement agencies in the field of human rights. To date, more than 1500 judges, prosecutors and law enforcement officers have been trained within these trainings.

The fight against corruption requires the improvement of legislation and enforcement of law practice in this area, the expansion of publicity of the activities of state bodies and civil servants, as well as the strengthening of education, propaganda in the field of combating corruption and human rights, and a culture of observance of human rights.

UZBEKISTAN ANTI-CORRUPTION DIGEST

PUBLIC POLICY

UZBEKISTAN ENTERS A NEW STAGE OF COMBATING CORRUPTION

Akmal BURKHANOV*



* Director of the Anti-Corruption Agency

Abstract: *The results of the implementation of the Strategy of actions on the five priority directions of the development of the Republic of Uzbekistan in 2017-2021 and the implementation of the tasks assigned to the Agency in the Development Strategy of New Uzbekistan for 2022–2026, which is its logical continuation, are provided.*

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In our time, the situation is changing every minute. In this process, setting the right priorities and making an acceptable decision is one of the most difficult tasks.

As a result of its choice of a policy of openness, Uzbekistan, along with all countries, is also moving towards changes and becoming a direct participant in this process.

The tasks set out in the Strategy of actions for the five priority areas of development of the Republic of Uzbekistan for 2017–2021, formed on the basis of the opinion and reasoning of the people, their demands on the state, which initiated the reforms carried out in our country, were fulfilled. The tasks that the state has determined together with its people, it also fulfilled together with the people.

As part of the implementation of 320 clauses set out in the Strategy of actions, about 300 laws, more than 4 000 resolutions and decrees of the President of the Republic of Uzbekistan were adopted, which aimed at fundamentally reforming all spheres of state and public life. It is noticeable that every citizen began to feel these efforts, changes in their life.

As an integral continuation of these reforms, as a logical continuation of the Strategy of actions, the Development Strategy of New Uzbekistan for 2022–2026 was adopted.

Our people took an active part in the development of this document and expressed their suggestions and comments.

The Development Strategy sets out the **"100 Goals of Human Dignity"** in seven priority areas.

The fight against corruption is also separately identified among these priority goals. The initiated reforms in this regard will also be consistently continued and the task shall be to bring them to a new level. In particular, the State Program outlines the tasks of transforming public administration based on the principle of "directing to the service of citizens", introducing a compact, professional, fair, highly efficient system of public administration, introducing standards of integrity in civil service, identifying areas and sectors prone to corruption, increasing efficiency system of elimination of corruption factors, formation of an intolerant attitude towards corruption in society.

In particular, goal no. 10: When organizing a public civil service system based on modern standards, the task shall be to eliminate corruption factors in the public service, selection of personnel on a competitive basis and improvement of the legal framework for assessing their effectiveness.

It is known that most cases of corruption occur in the process of recruitment and promotion through the ranks. Therefore, we must complete the work we have begun to ensure the transparency of the recruitment system and the transparency of all processes.

A consistent continuation of this direction is the goal number 83 – the introduction of standards of integrity in the civil service.

Since the civil servant is one of the main subjects of corruption, it will be necessary to instill in their integrity, limit their relations with citizens and make them more transparent.

In this regard, our main task shall be to create effective mechanisms for preventing conflicts of interest in the civil service. To do this, first of all, we must fill in the gaps in the legislation and ensure the openness of any process related to decision-making in the civil service, and expand public participation.

In this regard, it is important to further expand the volume of open information on important social issues and ensure unhindered access to this information.

In this process, the agency paid attention to two directions, namely the first – the further expansion of the volume of open data, the second – the creation of mechanisms for unhindered access to this information.

Within the project a system is being created to assess the level of openness of all state bodies and organizations according to 8 indicators covering 84 assessment criteria, and to assess the effectiveness and efficiency of measures taken in this direction. At the same time, it is planned to introduce a procedure for certification of open data arrays, introduce a system for studying and evaluating the effectiveness of the feedback system, and developing standard forms of information to be disclosed by the territorial government body.

Undoubtedly, preventive measures, for example, mechanisms for preventing corruption in the context of areas and industries are important in the fight against corruption, as well as the widespread involvement of the population in this process. These issues are reflected in goal 84 of the strategy.

It is noted that in order to ensure the fulfillment of this task, it is necessary to introduce modern information technologies, including artificial intelligence in the fight against corruption. It is known that our agency has established cooperation with international organizations and other countries. During our trip to Europe in 2021, we learned that such technologies are very effective.

Another important aspect of this goal is to establish cooperation with civil society institutions in the fight against corruption, support for the implementation of public control.

It is no coincidence that special attention is paid to this. Because if we do not form layers of citizens, mass media, non-governmental non-profit organizations uncompromising to corruption, the reforms that trying to implement will not be effective.

In this regard, we need to involve more media representatives in this process and

improve their knowledge and skills in this area.

At the same time, the introduction of a system of continuous improvement of knowledge of the population and civil servants in the field of combating corruption is indicated.

We considered it expedient to approach this process on the basis of modern methods. In other words, together with partner organizations, we have begun work on the implementation of the "Virtual anti-corruption academy".

The academy will take the form of an online platform and will include special courses for both civil servants and the public. In particular, the organization of courses in the form of basic (private sector, citizens and youth) and special in-depth (administrators, employee, employee of the anti-corruption internal control unit (human resource), internal audit service, personnel department, internal security service, etc.) courses is planned.

At the same time, these courses will be opened to everyone, providing an opportunity for any citizen to strengthen their knowledge of corruption and pass the exam. This will allow the introduction of a comprehensive system of increasing legal knowledge and awareness of the population and civil servants in this area, and special certificates will be awarded to successful graduates.

As you can see, all of the above tasks are important for the full implementation of the Strategy in such areas as enhancing human dignity and further developing a free civil society, turning the principles of justice and the rule of law into the most basic and necessary conditions for development.

Today, the main task facing us is that when we implement these goals in life, we will have to implement them in such a way that conditions are created for people to feel them all in their lives.

UZBEKISTAN ANTI-CORRUPTION DIGEST

NORMATIVE LEGAL ACTS

A SYSTEM FOR RATING ASSESSMENT OF THE EFFECTIVENESS OF THE WORK OF STATE BODIES AND ORGANIZATIONS IN ANTICORRUPTION IS BEING INTRODUCED



Resolution of the President of the Republic of Uzbekistan dated January 12, 2022 No. PR - 81 "On measures to introduce a rating assessment of the effectiveness of anti-corruption work" provides for the introduction of a rating system for assessing the effectiveness of anti-corruption work (hereinafter referred to as the Rating Assessment) in the ministries, state committees, departments and local executive authorities starting from March 1, 2022 (hereinafter referred to as state organizations).

The introduction of a rating assessment system will make it possible to determine the level of effectiveness of measures of state bodies for combatting corruption.

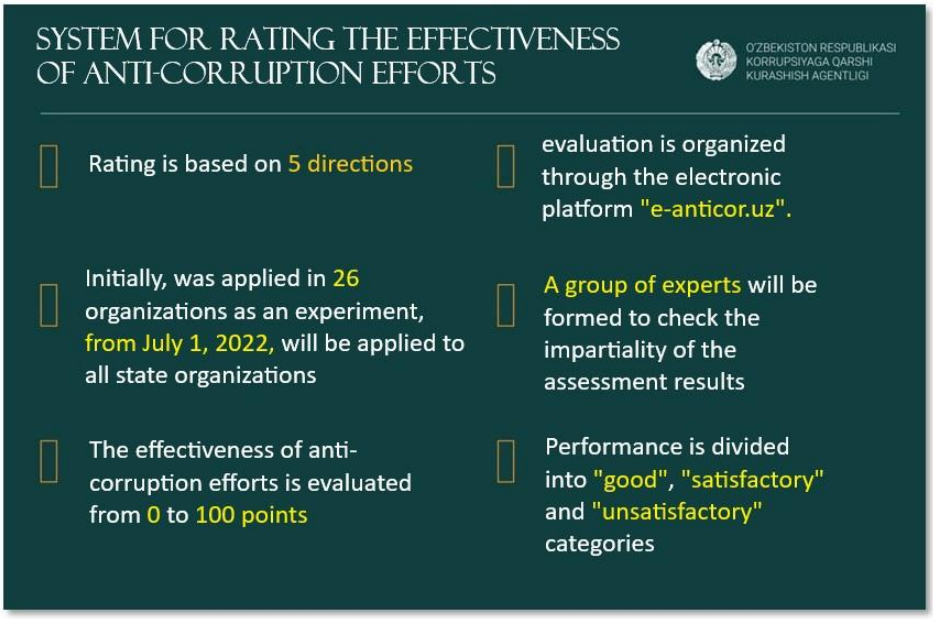
This, in turn, will create conditions for a systematic analysis of the state of corruption, identifying areas with high risks of corruption and the causes of corruption offenses, taking appropriate measures to eliminate them, and increasing the responsibility of heads of state bodies.

Based on the results of the rating assessment:

The Anti-Corruption Agency will provide recommendations on further improving the efficiency to the state bodies, the effectiveness of which in combating corruption is recognized as satisfactory;

in state bodies the effectiveness of which in combating corruption will be recognized as unsatisfactory, a program of measures to improve the effectiveness of anti-corruption measures will be developed, which shall be approved in agreement with the Anti-Corruption Agency. The report of the administrators of the specified state body on the implementation of the measures specified in the program of actions will be heard at the National Anti-Corruption Council of the Republic of Uzbekistan on a quarterly basis.

In addition, the Resolution approved the followings:



Regulations on the rating system for assessing the effectiveness of anti-corruption work in state bodies and organizations, including local executive authorities;

Roadmap for the implementation of a rating system for assessing the effectiveness of anti-corruption work in state bodies and organizations, including local executive authorities.

Based on the test results, the electronic platform "E-Anticor.uz" will be improved, which will then be used for rating assessment of the effectiveness of all state bodies activities in combating corruption.

Upon development of the Regulations on the rating system for assessing the effectiveness of anti-corruption work in state bodies and organizations, including local executive authorities, international standards in the field of combating corruption were taken into account, as well as best practices of foreign countries such as South Korea, Malaysia, Vietnam, Lithuania, Romania and Moldova were used.

Anti-corruption Agency
of the Republic of Uzbekistan

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RESOLUTION OF THE PRESIDENT OF THE REPUBLIC OF UZBEKISTAN AIMED AT FURTHER IMPROVING THE ACTIVITIES OF THE ANTI-CORRUPTION AGENCY WAS SIGNED

The essence of the Resolution of the President of the Republic of Uzbekistan PR-34 dated December 7, 2021 "On additional measures to further improve the activities of the Anti-Corruption Agency of the Republic of Uzbekistan" is disclosed



The Resolution of the President of the Republic of Uzbekistan dated December 7, 2021 No. PR-34 "On additional measures to further improve the activities of the Anti-Corruption Agency of the Republic of Uzbekistan" provides for the followings:

I) general rules on the procedure for cooperation between the Agency and law enforcement agencies (goals and objectives of the Regulations, the list of law enforcement agencies cooperating with the Agency, areas and forms of cooperation, powers of the Agency and law enforcement agencies in the implementation of cooperation);

II) interaction on issues of a unified state policy in the field of preventing corruption (information which is sent by law enforcement agencies to the Agency, the powers of the Agency to review court documents, the procedure for informing the public about cases under consideration);

III) interaction on information about corruption offenses (the procedure for considering applications from individuals and legal entities, transferring cases to the competent authorities);

IV) cooperation in studying information on violations in the use of budgetary funds, loans from international organizations and foreign states, the sale of state assets and in the field of public procurement (the powers of the Agency and the obligations of law enforcement agencies in the implementation of cooperation in this area);

V) cooperation in the field of anti-corruption expertise of normative legal acts and their drafts (organization of anti-corruption expertise of normative legal acts or their drafts, the procedure for creating a working group in this area);

VI) final rules (use of information and communication technologies, analysis of the implementation of the Regulation).

Anti-corruption Agency
of the Republic of Uzbekistan

UZBEKISTAN ANTI-CORRUPTION DIGEST

ENSURING THE RULE OF LAW AS AN IMPORTANT ANTI-CORRUPTION FACTOR

THE CONTENT AND ESSENCE OF THE RESOLUTION OF THE PRESIDENT OF THE REPUBLIC OF UZBEKISTAN PR -4951 DATED JANUARY 14, 2021 "ON MEASURES TO INTRODUCE AN EFFECTIVE MECHANISM FOR DETERMINING THE STATE OF THE RULE OF LAW IN THE REPUBLIC OF UZBEKISTAN" IS NOTED

In the Republic of Uzbekistan, the Resolution of the President of the Republic of Uzbekistan No. PR -4951 of January 14, 2021 "On measures to introduce an effective mechanism for determining the state of implementation of the rule of law in the Republic of Uzbekistan" was adopted.

The main purpose of this Resolution was to ensure the creation of effective mechanisms for compliance with the rule of law and legality in the regions. In order to achieve this goal, the Resolution outlines the need to investigate and evaluate the implementation of the adopted legislative acts and timely eliminate the identified legal gaps.

At the same time, the methodology for the formation of the Rule of Law Index by region was approved by the Resolution, in it are identified 32 indicators that reflect this Index, and which are calculated for the Republic of Karakalpakstan, regions and the city of Tashkent, as well as for districts (cities).

Based on these indicators, in the Resolution are reflected 182 criteria, of which 111 are based on statistical data and 71 on the results of sociological surveys.

It should be noted that the Index of the Rule of Law of the regions is determined on the basis of statistical data and the results of conducted sociological surveys in certain directions.

The first is compliance with laws. In this direction, attention is focused on the state of enforcement of laws and regulations in the regions, compliance with administrative procedures and ensuring the inviolability of property rights.

The second direction is ensuring the rights and freedoms of citizens. Cases of torture and unjustified detention by law enforcement agencies, the absence of obstacles in the exercise of the rights of the suspect, the accused and the defendant, cases of pressure on citizens and journalists who have used freedom of opinion and expression, cases of arbitrary interference in personal life, as well as the development of civil society institutions and ensuring basic labor rights are investigated in order to analyze this direction.

In order to study the next direction – the sphere of justice and the execution of court decisions, the following indicators are identified: the use by the population of the possibility of restoring their rights through the courts; satisfaction of the population with the impartiality of court decisions; public perceptions of the presence of signs of corruption in judicial bodies; independence of courts from the influence of state bodies; compliance by courts with procedural deadlines; proper execution of court decisions.

The fourth direction is law enforcement and security, according to which an analysis is carried out on indicators that determine the level of crime in the regions, the effectiveness of crime prevention in the regions, the detection of crimes and the adoption of effective measures on them, the propensity of citizens "lynching".

Effective control over the activities of local executive authorities is the fifth direction, which is indicated by such indicators as: the exercise of control over the activities of the

administration of the Kengashes of people's deputies, consideration in administrative courts of disputes related to decisions of local executive authorities, ensuring the accountability of officials of executive bodies in the field for the offences they have committed, public control over the activities of local executive authorities.

In order to fully analyze the sixth direction – the effectiveness of combating corruption, the resolution establishes indicators reflecting the presence of cases of abuse of official position by officials of local executive authorities, abuse of official position by law enforcement and regulatory authorities, the degree of prevalence of corruption in the social sphere and in the provision of public services, as well as the manifestation of cases of nepotism, favoritism and localism.

The last direction is the transparency of government institutions, includes indicators that determine the openness of local government bodies, ensuring the rights of citizens to access information by local executive authorities, and citizen participation in the decision-making process at the local level, the effective use of mechanisms to appeal against the actions of officials.

In addition, in accordance with the Resolution, an automated information system "Huquq ustuvorligi" was created and put into operation, through which the Rule of Law Index in the regions is determined.

As the result of adopted Resolution, it became possible to verify the effectiveness of the execution of the adopted legal acts in the regions of the Republic of Uzbekistan. This mechanism for verifying the effectiveness of the rule of law should serve to improve civil society, ensure the protection of human rights and eliminate corruption factors by timely addressing identified legal gaps.

Ministry of Justice of the
Republic of Uzbekistan

UZBEKISTAN ANTI-CORRUPTION DIGEST

ANTI-CORRUPTION

THE ROLE OF PARLIAMENT IN ANTI-CORRUPTION

J. SHIRINOV*



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Abstract: *5 main areas of activity of the Anti-Corruption and Judiciary Committee in the Legislative Chamber of the Oliy Majlis are noted.*

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Corruption comes from the Latin word “corrumpere”, which means “to break”.

Corruption means the illegal use of one's official or service position for personal purposes or the receipt of material or intangible benefits in the interests of others, as well as the illegal provision of such benefits.

If we look at the history of our country, especially in the period of Sahibkiran Amir Temur, while raising the salaries of civil servants in his state, at the same time severely punished those who engaged in corruption. He sought to strengthen public control over corruption. He held conversations with representatives of the population and identified cases of injustice and extortion on the part of local leaders and punished them in front of witnesses.

Analysis shows that corruption damages the global economy at an average cost of $2.6 trillion a year. This represents 3% of the world's gross domestic product.

Corruption has the following negative consequences for the socio-economic and political life of the country.

In the modern world, corruption manifests itself in various forms. These include:

– bribery, “purchase” of an official person, “payment over”;

– misappropriation of public resources, waste;

– appointment of relatives through acquaintances;

– conflict of interest in the performance of public functions;

– giving and receiving valuable gifts for solving a particular problem;

– “illegal patronage of business” by civil servants;

IN THE POLITICAL SPHERE	IN THE ECONOMIC SPHERE	IN THE SOCIAL SPHERE
Interests of certain groups prevail over national	Deterioration of the investment climate, loss of small businesses	Emergencing of organized groups, social inequality, poverty
Decreasing of public trust in the state	Misusing of public resources, unreasonable price gouging	The inability of the state to solve social problems
Loss of democratic principles, violation of the rule of law, judicial inefficiency	Increasing of financial and economic risks, shadow economy, reduced economic competition	Open violations of the law, impunity for criminals

– elimination of the desire to defend their rights among citizens through abuse of entrusted power;

– management fraud (falsification of elections, making unfair decisions in the interests of certain groups);

– interference in judicial independence;

– creation of an artificial deficit;

– illegal provision of public services using public office by politicians to "look good" in the eyes of the public, etc.

But, unfortunately, in our national legislation, the categories of corruption crimes are not clear. We often refer to giving and receiving bribes and other similar crimes as corruption crimes. While, as mentioned above, crimes that are not directly related to material interest can also be corruption.

Therefore, the Legislative Chamber of the Oliy Majlis is currently working on a bill on amendments and additions to the Criminal Code in cooperation with the Prosecutor General's Office. In accordance with it, it is proposed to supplement the eighth part of the Criminal Code with the new term "corruption crimes" and specify corruption crimes with certain articles and paragraphs. The bill provides for tougher penalties for corruption crimes.

It is being established that the conditions for exemption from liability and punishment do not apply to grave and especially grave corruption crimes.

It should be noted that the accession of Uzbekistan to the UN Convention against Corruption in 2008 laid the foundation for improving the legal framework for combating corruption.

In our country, there are 210 normative legal acts in which the word "corruption" is used. Of course, in all of them this word was used for the purposes of preventing and combating corruption.

At the suggestion of the President of the Republic of Uzbekistan (in a speech at a ceremony to mark the 26th anniversary of the Constitution on December 7, 2018), in 2019, the "Committee on combating corruption and judicial and legal Issues" was established in the Legislative Chamber of the Oliy Majlis.

The Committee works over combating corruption in 5 areas, based on the main tasks and functions of the Parliament.

First of all, legislative (law-making) activity. The Committee annually issues an average of 40 bills on anti-corruption and judicial issues. This means 25-30 percent of bills that are considered annually by the lower house.

For example, the Committee was responsible for the laws "On combating corruption", "On introducing amendments and additions to some legislative acts of the Republic of Uzbekistan in connection with improving the system of combating corruption in the Republic of Uzbekistan" dated November 18, 2021, "On administrative procedures", directed to prevent bureaucracy in state bodies, a law providing for administrative liability for violations of the law on the openness of the activities of state authorities and administration, and a number of other laws.

In addition, the Committee is developing laws in other areas in order to prevent corruption risks in them. For example, the Committee was directly involved in the preparation of the draft Law "On the introduction of amendments and additions to certain legislative acts of the Republic of Uzbekistan in connection with the

improvement of the system for allotment and use of land plots, as well as land registration and maintenance of the state land cadastre".

The second direction of lawmaking shall be to eliminate the norms in these laws that create conditions for corruption. Over the past period, the Committee has identified more than 40 corruption norms in bills submitted to Parliament, and achieved their elimination or amendment.

In addition, the Committee conducts an anti-corruption analysis of existing laws. For example, the Committee identified more than 10 corruption norms in existing laws, prepared analytical information on them and took measures to include them in the plan for the preparation of relevant regulations.

The second direction of the Committee's activity is parliamentary control. Over the past period, the committee has carried out more than 20 control and analytical activities.

The implementation of legislation to prevent corruption in the field of healthcare, construction and a number of other areas was studied directly on site.

In order to prevent corruption in the system, improve the efficiency of compliance control, and create a culture of intolerance towards corruption, the heads of the State Customs Committee, the Ministries of Health, Justice, Construction and the Anti-Corruption Agency were heard. Based on the results of the hearings, the decisions of the Committee on preventing corruption in the system, expanding the digitalization of public services and other areas were adopted and sent for implementation.

As a result of the hearings, it became possible to cancel some departmental regulations that create conditions for corruption.

For example, at the suggestion of the Committee, in accordance with the order of the Chairperson of the State Customs Committee dated February 25, 2021 No. 01-02 / 8-11, the "Procedure for collecting customs payments for customs clearance of goods and vehicles outside the established places and outside the working hours of customs authorities" was cancelled (AB No. 925, dated May 11, 2000), as well as 4 other documents related to this document.

The third area of activity is the dialogue on the ground. Based on this method, proposed at the initiative of the President, the deputies go to the sites and conduct conversations with members of the public, entrepreneurs, courts, law enforcement agencies, lawyers, among whom anonymous social surveys are conducted. Issues raised on the topics of preventing corruption in the territories, ensuring justice were considered at meetings of local Kengashes of people's deputies.

Our fourth line of business is participation in the work of various collegiate bodies. Members of the Committee operate as part of the Special Commission for the establishment of the Public Council under the Anti-Corruption Agency, the Commission for the Improvement of Criminal and Criminal Procedure Legislation, the Supreme Council of Judges, various commissions for the development of the draft Administrative Reform Program of new Uzbekistan, the National Anti-Corruption Council and others collegiate bodies. For example, members of the Committee provided methodological assistance in organizing the activities of local councils to combat corruption in the Jizzakh region, the application of administrative and preventive measures to prevent corruption.

The fifth area of activity is the promotion of anti-corruption. Over the past period, members of the Committee have spoken more than 5,000 times on television, radio, print media, the Internet and social networks. The committee also held about 20 conferences, seminars and round tables. Members of the Committee made presentations at international anti-corruption forums.

In addition, the Committee regularly discusses with representatives of the scientific community the scientific and practical proposals in this area. Based on the proposals submitted by scientists, the Committee has improved various bills.

Of course, in order to create "immunity against corruption", we need to "cleanse" not only the "corrupt official", but also their

environment, or rather, eliminate the factors that create conditions for corruption.

In our opinion, the following **4 tools of impact should be equally used to fight corruption.**

First of all, **the impact that encourages honest work**. In this case, the following shall be applied:

decent wages;

rewarding whistleblowers;

principle of appointing an honest person to a high position.

Secondly, **the "dam tool", that is, the impact that prevents factors and conditions for corruption**. Here shall be important:

reduction of the human factor in the provision of public services;

electronic registration of offenses;

appointment to a position on the basis of an open competition;

declaration of income of civil servants;

ensuring transparency of public procurement;

elimination of corruption norms in the legislation;

elimination of bureaucratic barriers;

prevention of conflicts of interest;

ensuring the independence of the judiciary.

Thirdly, the **educational impact on the fight against corruption**. Here it shall be expedient:

formation of an uncompromising attitude towards corruption;

raising the legal awareness and culture of the population;

religious and educational propaganda by religious dignitaries.

Fourth, the **anti-corruption control system**. It requires:

coordination of the fight against corruption;

severe punishment and inevitability of liability for corruption;

confiscation of assets obtained as a result of corruption;

preventing corrupt officials from entering the public service;

preventing cases of corruption from remaining "latent";

reversal of decisions made through corruption;

strong public control;

accountability of officials to the people;

non-governmental non-profit organizations capable of conducting professional corruption research and "investigative journalism";

effective operation of the "internal anti-corruption audit" system.

In general, the fight against corruption is not only the business of state bodies, but the goal can be achieved only in the case of concerted actions of members of the public.

UZBEKISTAN ANTI-CORRUPTION DIGEST

ANTI-CORRUPTION

THERE IS NO JUSTICE IF THERE IS NO SPIRITUALITY

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Abstract: Reforms in fighting against corruption in the judicial system, prevention of corruption risks in the process of appointment of judges, and efforts to promote intolerance attitude towards corruption in the behavior of judges over the past five years are highlighted.

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There is no need to define and comment the concept "corruption". The public is well-awared of this concept, which is a cornerstone of progress. As you know, there is no sphere where this trouble has not yet penetrated. Since the judiciary is an inseparable part of society, it is obvious that it cannot be free from this vice either.

Just as it is impossible to put a cart before a horse, it is impossible to effectively fight against any vice without a sufficient legal framework, since corruption is primarily created as a result of gaps and contradictory norms contained in legislation.

Over the past five years, a number of amendments to legal documents has been made in this regard. In particular, the Law "On Courts" has been adopted in a new edition, and the Law "On the Supreme Judicial Council of the Republic of Uzbekistan" has been amended and supplemented.

The Decree of the President of the Republic of Uzbekistan dated December 7, 2020 "On measures to ensure the true independence of judges and increase the effectiveness of prevention of corruption in the judiciary" has started a new stage in the process of reforms of the system.

An effective fight against corruption has *two important factors: openness and transparency*. It is also noteworthy that these two factors are of paramount importance in the adopted legal documents. After all, openness and transparency require limiting the human factor. It is a well-known fact that objectivity takes precedence where the human factor is limited.

The Decree has established a number of new procedures aimed at limiting the human factor in the process of selection and appointment of judges. For example, the

process of selection and appointment of qualified personnel for judicial positions has been based *on open competition on an alternative basis, and most importantly, by application of information technology*. As a result, the human factor has sharply been limited and the selection process has become open and transparent. The opportunity to monitor the process directly and indirectly (online) has also been created. This, in turn, is important in selecting the best candidates.

Noteworthy news is the introduction of a system for transparent evaluation of the activities of judges through electronic rankings. It is known that until now, the activities of judges were analyzed every two and a half years and appropriate conclusions were made. And this was done with the help of the human factor (i.e., by members of the qualification boards). By the electronic ranking, this task is now being performed without the human intervention.

An electronic program has been launched to assist the process of assessment of the suitability of candidates and acting judges to the judicial position on the basis of psychological profile. With the help of this electronic program for psychological test, the following character traits are evaluated, such as toughness, calmness, resilience, stress-resistance, propensity to corruption and others. The outcomes of the psychological test are analyzed by a professional psychologist, who draws conclusions of a recommendatory nature. Later on, this conclusion is taken into thorough consideration while making the decision on the appointment of the candidates to the position.

The Supreme Judicial Council has put into practice the conduct of an internal audit for each corruption case in the system, identifying the causes and conditions that contribute to its occurrence. This, in turn, has its effect in the timely detection and prevention of corruption cases.

Thus, the above new rules and conditions apply to the judicial appointment process. However, the candidate goes through quite a few checks up to this stage. At this point, it is worth pointing that this is not about the process of studying candidates in detail and drawing certain conclusions, but about new procedures for the preparation of candidates for the judicial positions.

The public is well-awared of the adoption of the Decree of the President three years ago, on January 6, 2019, No. PQ-4096. As a result of the adoption of this Decree, which regulates measures for the training of candidates for judicial positions, retraining of judges and court staff, and radical improvement of their professional development, many changes have been implemented in practice. By virtue of this Decree, the Supreme School of Judges has been created under the auspices of the Supreme Judicial Council of the Republic of Uzbekistan, whose composition and structure were radically updated. By this Decree, the minimal age of appointment to the position of a judge was set as 35 years old. Additionally, from September 1, 2020, it was established that only the candidates, who have successfully completed training courses at the School can be appointed to judicial positions.

Obviously, the new rules and regulations will facilitate encouraging the candidates for the post of judge to work harder on themselves. These changes will also play an important role in furthering their intolerance to corruption.

It is worth noting that the use of advanced foreign experience, a certain methodology in the training of judges, the unconditional limitation of the human factor, from the process of entrance and intermediate to the final exams, deserves special recognition. However, it shall also be pointed that in order to form the spirit of intolerance to corruption in candidates to judicial positions, the attention shall be paid to the effective use of national values, being more precise, the factors of faith and spiritual upbringing. This is due to the fact that such spirit can persist any evil, including the factor of corruption. In this regard, the Supreme School of Judges under the Supreme Judicial Council has

organized educational events with participation of scholars, servers of religion, imams, where the participants were informed that the act of corruption is a criminal offense under the law and prohibited act (haram) under Sharia.

Justice and spirituality are closely intertwined concepts, so the head of state has also pointed that "where there is no spirituality, there will never be justice." Accordingly, special attention is paid to this issue while organizing the process of training of judges and lawyers and appointment of them to the judicial positions.

Life itself has shown that it is impossible to fight against any vice with empty words, but only through effective measures. To do this, you need to correctly use effective methods of influence. Last year, at the initiative of the Supreme Judicial Council, a short film "Pushaymon" ("Repentance") was created. The film reveals the tragic fate of a former judge, who committed an act of corruption. When this film was shown, not only the judges themselves, but also their spouses were invited to the performance. The question arises: why? Because it is one of the most influential means, as, the family occupies a special place in the successes and troubles of a person. In this connection, the circle of such educational events needs to be expanded.

In addition, it seems that the organization of visits of judges and candidates for judges to places of execution of punishments from time to time will result in positive outcomes. Hearing about bringing responsible officials to criminal responsibility for a corruption crime is one thing, but seeing with own eyes how punishments are carried out is completely different. In vain, they say that it is better to see once than to hear a hundred times.

Anyways, it is too early to talk about the sufficiency of the work done to inculcate intolerance to corruption in the judicial system, in the process of training judges and their appointment to positions.

First of all, it is necessary to further improve the quality and efficiency of work in this area. This requires the search for personnel with sufficient knowledge and experience, an impeccable reputation. It is also appropriate to use special psychological tests conducted by the Supreme Judicial Council during the admission exams to the Supreme School of Judges in order to determine the propensity of candidates for corruption. Clear definition of anti-corruption standards of conduct of judges also serves to increase the effectiveness of work in this area. As a continuation of this idea, it would be useful to consider the introduction of training hours on the standards of anti-corruption ethics in the curriculum of the Supreme School of Judges.

In addition, the time has come to consider the mechanisms of bringing judges to disciplinary liability, procedural guarantees of disciplinary actions, as well as duties and functions of qualification commissions in this regard.

When it comes to corruption, its timely prevention, work on a systematic and constant analysis of the state of affairs on the observance of anti-corruption norms by judges and judicial staff will remain urgent and top priority.

Instead of a conclusion, it should be noted that there is no place among judges for the one, who, through connections or for a certain amount – a bribe – interest decides the case and thereby allows injustice.

One of the main tasks of the Council is to staff the system with honest and fair personnel.

UZBEKISTAN ANTI-CORRUPTION DIGEST

ANTI-CORRUPTION

WORK DONE TO PREVENT CORRUPTION IN THE PUBLIC PROCUREMENT SYSTEM

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Abstract: *Actions and problems to prevent corruption in the public procurement system are discussed, and proposals for their elimination are presented.*

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Ensuring openness and transparency, reducing the involvement of the human factor due to the rapid development of digitalization processes is the greatest achievement in any area, namely in the ongoing reforms in the field of corruption prevention. Today, every citizen of our country has the opportunity to observe the daily expenditures of the state budget, which is important for ensuring broad competition in the field of public procurement, rational and efficient use of funds, as well as creating favorable conditions for entrepreneurs.

In total, in 2021, public procurements worth 147.4 trillion soums was carried out in the Republic. This is 20.1% GDP. Of these, purchases in the amount of about 28 trillion soums (20% of the total amount of purchases) was carried out through electronic trades. As a result of the implementation of competitive procurement procedures, it was possible to save funds in the amount of 5.8 trillion soums.

In order to reduce the participation of the human factor in public procurement and digitalization of the industry, from January 1, 2022, the practice of conducting selection and tenders mandatorily in electronic form has been introduced.

The Code of Administrative Responsibility of the Republic of Uzbekistan established liability for violation of legislation in the field of public procurement, including for violation of the conditions for determining the types of procurement procedures and choosing a contractor, in order to strengthen the responsibility of state customers in the field of public procurement, ensuring their strict compliance with the requirements of the current legislation in the field of public

procurement, prohibition of non-competitive bidding and ensuring equal opportunities for all business entities.

In order to ensure openness and transparency in the field of public procurement, improve procurement procedures by creating conveniences and opportunities for participants in public procurement, the following key innovations have been introduced into the Law of the Republic of Uzbekistan "On public procurement":

– the requirements of the law shall also apply to the procurements of strategically important business companies and enterprises, i.e. large corporate enterprises;

– the powers of the Accounts Chamber of the Republic of Uzbekistan to conduct an audit of public procurement and, at the end of the year, publishing the results of the audit in open information sources and submit them to the Oliy Majlis of the Republic of Uzbekistan;

– The Anti-Corruption Agency of the Republic of Uzbekistan is included in the composition of the bodies exercising state oversight over the conduct of procurement procedures.

– the article on the principle of inadmissibility of corruption in the field of public procurement was re-examined and improved. At the same time, the prevention of corruption in the field of public procurement shall be carried out by:

ensuring fair competition and using impartial criteria in decision-making;

creation of an effective system of monitoring and control;

publications in open sources of information about violations of the legislation and other regulations in the field of public procurement.

– participants in procurement procedures and executors of public procurement shall be obliged to disclose information about their beneficial owners;

– government customers shall be obliged to provide information on affiliation in the field of public procurement;

– conditions are included that the participant and the affiliated person of the participant in the procurement procedure shall not be entitled to participate in the same lot in the electronic market, auction, selection of the best offers and tenders;

– the participant shall not be allowed to participate in public procurement if close relatives of the participant and (or) an authorized representative of the participant in the public procurement process have the right to make a decision on the selection of the contractor or are a representative of the state customer or a specialized organization involved by them in the public procurement process;

- mandatory requirement for bidders to submit an anti-corruption statement.

We all know that the "Sphere without corruption" project is currently being implemented in the field of public procurement. "Roadmap" of 28 points of measures for the implementation of the "Sphere without corruption" project in the field of public procurement has been approved, and at meetings of the National Anti-Corruption Council of the Republic of Uzbekistan, discussions are being held on the work carried out to implement the project "Sphere without corruption" in the field of public procurement.

In this regard:

– an anti-corruption expertise of acts of legislation in the field of public procurement was carried out;

– agreements have been signed with the relevant international financial institutions, and to date, standard procurement documents have been developed within the framework of this project;

– The Training Center of the Ministry of Finance organized advanced training courses for employees of state administration bodies and their systems, as well as employees of business companies and enterprises of strategic importance and other organizations.

For information, to date, 6979 employees of state customers have been trained under the Special Course.

– A distance learning platform to improve the skills of government customers in the field of public procurement has been created.

To date, there are a number of measures that need to be taken to further develop this area, including: -

– critically consider initiatives to define a supplier as an exception or enter into a direct contract without grounds, in the availability of competition,

– take measures to prevent conflicts of interest in public procurement, create the possibility of automatic identification of affiliated persons through an electronic system. In this respect, it is necessary to introduce a mechanism for electronic identification of affiliated people of public procurement participants by establishing the exchange of information between the electronic database of personal identification numbers (PIN) and electronic public procurement systems.

Also, in order to further increase the openness and transparency of public procurement, the formation of a competitive environment, to conduct a comprehensive analysis of procurement, including the creation of a system for analyzing information about participants, their number, offered price, level of competition, analytical data by industry and region, as well as systems for automatic analysis of information about conflicts of interest and other information (Business Intelligence). In this regard, continue work to improve the Central Information Portal of public procurement.

Accordingly, to complete work in the Central Information Portal on the implementation of the risk management system, monitoring tools according to various criteria and the BI – Business Intelligence software.

UZBEKISTAN ANTI-CORRUPTION DIGEST

MEDIA TRIBUNE

THE ROLE OF THE MASS MEDIA IN ANTI-CORRUPTION

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*Chairperson of the Creative Association of Journalists of Uzbekistan

Abstract: *The importance of mass media in the fight against corruption, their cooperation with state bodies are noted.*

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The mass media, which is the mirror of society, along with the achievements and positive changes in the life of our country, also reflect the acute fight against corruption, which is the enemy of development. It is also true that our compatriots read messages on this topic in print and electronic publications, analytical and critical articles on this topic, and learn about corruption crimes and about the areas in which this scourge is rampant.

It is known that corruption seriously undermines the political and economic development of any state and society, leading to the violation of human rights and freedoms.

Article 5 of the Law of the Republic of Uzbekistan "On combating corruption" defines the main directions of state policy in the field of fighting against corruption , which increase the legal awareness and legal culture of the population, the formation of an intolerant attitude towards corruption in society, and the adoption of measures to prevent corruption in all spheres of life of the state and society, implementation of measures for the timely detection and suppression of corruption offenses, elimination of their consequences, causes and conditions that are conducive for corruption, ensuring the principle of inevitability of liability for corruption offenses.

Article 15 of this law defines the procedure for the participation of the media in the fight against corruption. In accordance with it, the media participate in the development and implementation of state programs in the field of combating corruption and other programs. They highlight the implementation of state policy in the field of combating corruption, including measures to improve the legal

awareness and legal culture of the population, the formation of an intolerant attitude towards corruption in society. They exercise public control over the implementation of anti-corruption legislation and collaborate with government agencies and other organizations in this area.

Although the media is considered the fourth power, it is deemed the most effective tool in exercising public control over the other three powers. Based on this, it is advisable to fully use the potential of print and electronic publications, the potential of bloggers and journalists in combating corruption.

Corruption is the use by officials of their position, rights and powers in their personal interests for the purpose of personal enrichment. If the fight against corruption is not carried out in a timely manner, citizens lose trust in the ongoing reforms, and injustice arises in existing social relations in society.

Unfortunately, today it is difficult to say that there is no corruption in some area. We see its roots in all areas, even in the relations of ordinary citizens with heads and employees of state bodies. A comprehensive approach is needed to break the chain of corruption.

In recent years, large-scale work has been carried out in our country to combat and prevent corruption in all areas. In particular, the implementation of the "Sphere without corruption" project is a vivid confirmation of this.

By the Decree of the President of the Republic of Uzbekistan dated June 29, 2020 "On additional measures to improve the anti-corruption system in the Republic of Uzbekistan", the Anti-Corruption Agency was established. The agency has ample opportunities for its work, including the power to suspend dubious decisions of the heads of state bodies on corruption cases, and the power to make submissions to the ministries in these cases.

The fight against corruption is necessary in all spheres, in cooperation. In this process, the media acts as the closest assistant and an effective tool.

A memorandum is expected to be signed between the Creative Association of Journalists of Uzbekistan and the Anti-Corruption Agency of the Republic of Uzbekistan. The purpose of this is to establish long-term and effective cooperation in the field of anti-corruption measures and their coverage in media. The parties will take the necessary measures to widely promote anti-corruption processes, to organize meetings and round tables to improve the skills of journalists in the field of combating corruption in the Association and its affiliates, editorial offices.

Within the framework of the Memorandum, the main tasks of the Association will be:

– wide coverage in the media of ongoing measures to combat corruption;

– ensuring transparency and openness of public control by the media in the fight against corruption and creating opportunities for an objective assessment of the population;

– improvement of information interaction between the media and the Agency;

– promotion of timely detection of corruption offenses, the elimination of their consequences, causes and conditions, as well as the principle of inevitability of liability for corruption offenses in the media;

– attracting the media and the attention of the general public to the fight against corruption;

– raising the legal awareness and legal culture of young journalists, the formation of an intolerant attitude towards corruption in society;

– participation in the formation of an atmosphere of intolerance towards corruption in society;

– informing the general public about the effectiveness of the results achieved in the fight against corruption;

– promote media coverage of achievements and shortcomings in ensuring transparency and legality in the field of public procurement, as well as the results of ongoing tenders (selection);

– organization of meetings and round tables on the principle of “integrity vaccine”.

The Creative Association of Journalists of Uzbekistan also cooperates with the National Anti-Corruption Council of the Republic of Uzbekistan and its territorial councils. Based on the rating methodology approved by the Protocol of the meeting of the National Council No. 6, the activities of the territorial Anti-Corruption Councils of the Republic of Karakalpakstan, Tashkent city and regions with respect to cooperation with the media in 2021 were assessed, based on the information provided.

One of the main activities of the territorial council shall be to ensure effective interaction between the media, non-governmental non-profit organizations, civil society institutions and citizens in the field of preventing and combating corruption.

The rating assessment took into account the media coverage of the activities of territorial councils, the organization of round tables, competitions, actions and flash mobs on the topics of combating corruption and the “integrity vaccine”, visual aids (video, banner, flyer, broadcast, film, etc.), aimed at creating an uncompromising attitude towards corruption among the population, regular outreach activities among youths to prevent corruption, press conferences, briefings, press tours to inform the general public about the activities of the council.

Indeed, in the process of large-scale reforms aimed at preventing and combating corruption in our country, limiting corruption factors in all spheres of state and public construction, it is of no small importance to increase the legal awareness and legal culture of the population, and the formation of an intolerant attitude towards corruption among citizens. From this point of view, cooperation with the media will have a positive impact on the timely detection of corruption offenses, the elimination of the causes and conditions that create opportunities for them.

UZBEKISTAN ANTI-CORRUPTION DIGEST

CIVIL SOCIETY INSTITUTIONS

IS CORRUPTION RISK ASSESSMENT VIABLE IN UZBEKISTAN? OR HOW DOES THE COUNTRY'S FIRST ANTI-CORRUPTION LABORATORY WORK?

The anti-corruption laboratory is a new trend for Uzbekistan in the field of combating corruption, a kind of experiment. The project 'Establishment of the first anti-corruption laboratories in Uzbekistan' is being implemented by the Nationwide Movement 'Yuksalish' in partnership with the Anti-Corruption Agency of Uzbekistan, and the international non-governmental organization Regional Dialogue (Slovenia).

Corruption is like a disease that takes root deep in the subconscious, becomes a habit, affects the culture of good manners and integrity, infects the entire system. To cure the disease, we need to make the correct diagnosis, find out the cause. Same with combating corruption: before taking measures, it is necessary to find out people's attitude to the problem, to investigate its causes, or the factors that lead to malpractice, conflict of interest, or force people to violate integrity, make informal payments, collude, and so on. In short, the policies require an accurate diagnosis first.

This stands behind the creation of the expert platform. It allows exploring the factors of corruption risks using different methods of analyzing statistical data, media content, scientific materials, legislation, surveys of target groups throughout the country, and international experience. The factors are surveyed based on a pre-developed methodology in line with international standards, and with the support of international experts and researchers in the field of combating corruption.

Late in 2021, the laboratory published the results of the first study as part of the project, which involved the public, and volunteers. It helped to assess corruption risk factors, which lead to corruption or unethical behavior in the process of admission of children to primary school.

The surveys covered almost 5,000 people, including 114 school principals, 1,563 primary school teachers and 3,243 parents of first-graders in 114 schools in 14 regions of Uzbekistan. In April, pilot surveys were conducted among three groups of respondents in two schools in Tashkent. In May-June, large-scale surveys were carried out throughout the country, covering 28 cities, 31 regional centers, 31 rural settlements.

The value of the data obtained is that the anonymous surveys documented the rumors and anecdotal evidence faced by participants in the admissions process. Among these are unequal opportunities for children under the main and additional admission quotas, the involuntary necessity for school principals to resort to the help of parents due to the lack of budget funding, infrastructure and provision, pressure from parents and higher authorities to place a child in a good school, and many other interesting facts.



BOBUR BEKMURODOV, Chairman of the Nationwide Movement "Yuksalish": — *"Such surveys are important, because they can convey the real voice of the public to decision-making bodies, to show the real picture and the state of affairs in the regions. They provide ready-made recommendations based on expert experience and work based on the voiced needs of the target audience."*

The analysis of the data collected helped identify six main factors that lead to corruption or unethical behavior, and are closely interrelated with each other. Thus, the lack of transparency in the admission of children to primary school leads to the introduction of additional quotas, and to overcrowded classrooms. Parents and principals get a ground for unethical behavior (including gifts, material values, pressure from outside). The lack of funding for schools forces the administration of the educational institution look for additional sources of funding, thereby shaping a field of influence and exchange of services between parents/teachers/principals. This causes violation of integrity and corrupt behavior.

As the study showed, to get a child enrolled at school, 37% of the surveyed parents across the country would bargain directly with the director, and 22% would try to do that with the selection commission. Approximately every 10th principal faces pressure from parents, every 10th principal faces pressure from higher authorities, individuals and organizations in the public sector.

All groups of respondents (26% of parents, 29% of teachers, 3.7% of school principals) claimed the need for transparent admission to school. Teachers in most regions see a transparent admissions process as a solution of overcrowded classrooms and low-quality education.

71.5% of surveyed teachers in all regions confirmed that information about the financial activities of schools should be transparent and accessible. 45% of parents are dissatisfied with the transparency, completeness and accessibility of financial and budget information of district departments of public education, and schools.

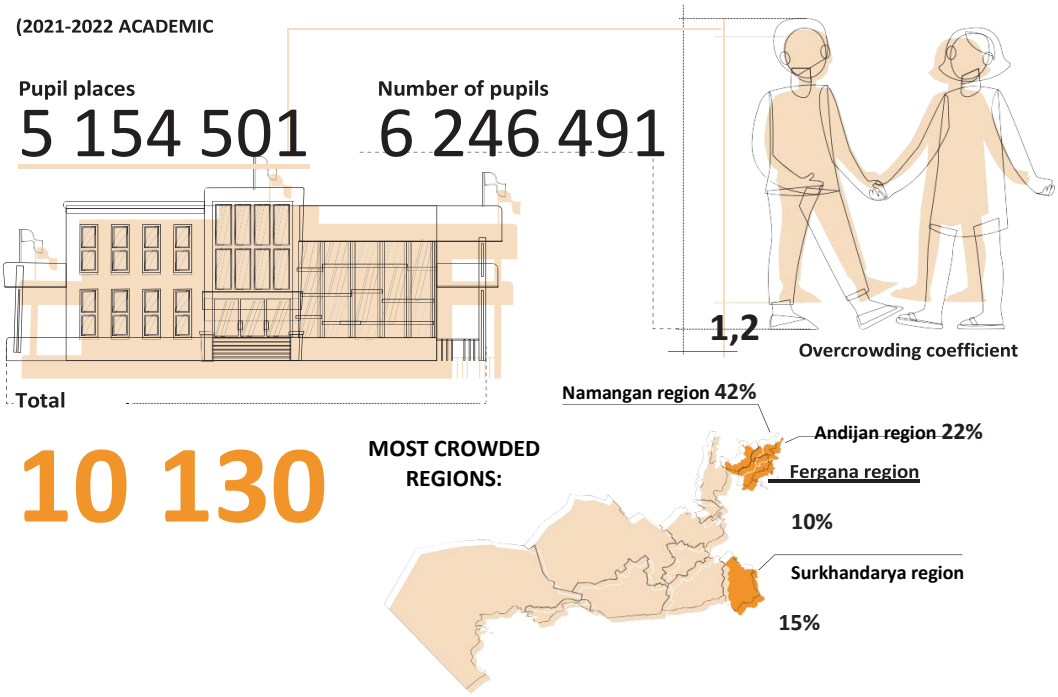
Despite the fact that the Ministry of Public Education is implementing the online queue management system qabul.maktab.uz, the results of the study showed the dissatisfaction of the respondents. An analysis of the answers of all three categories of respondents ranging by territories showed a shortage of student places due to the fact that the calculation of quotas and places by quotas does not take into account the capacity and infrastructure of classrooms, schools and the demographic aspect. Infrastructure issues of educational institutions rank the second among teachers' comments, after salaries.

Rustam Karimjonov, Deputy Minister of Public Education of the Republic of Uzbekistan:

– "We have the resources to conduct this kind of surveys, but we have failed to make an unbiased assessment using such an in-depth analysis. Since we work in a single system, it is difficult to get honest answers from lower-level-staff."



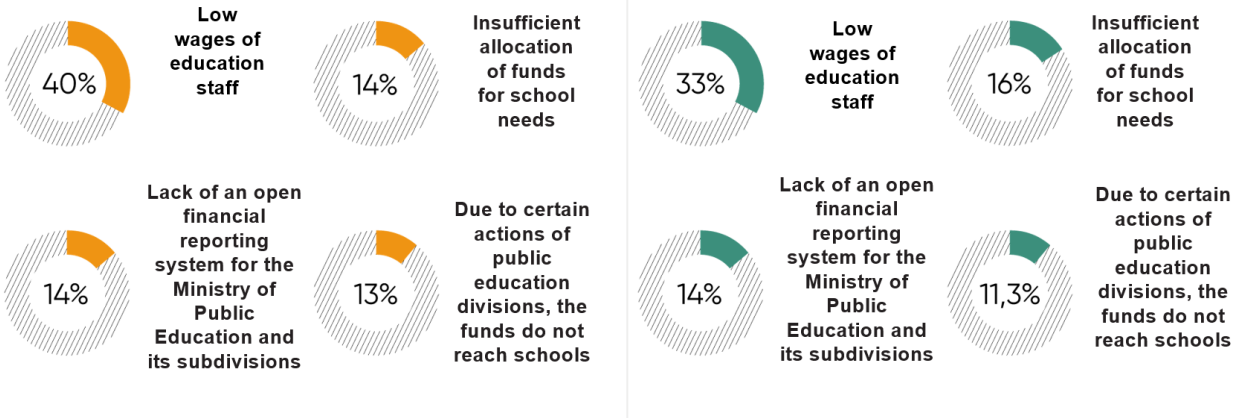
RESULTS OF SURVEY: THERE IS NOT ENOUGH SPACE FOR MORE THAN MILLION PUPILS



22% of parents, or every fifth respondent, could not arrange a child according to the quota of the microdistrict where they live, due to the fact that there were no places in the chosen school. The highest rates of this problem are in Navoi region – 41%, and Kashkadarya region – 28%.

At the same time, the admission process is directly related to the lack of budget funding. About 19% of the surveyed teachers answered that they were forced to turn to their parents for help due to lack of budget funding. In response to the question "How did you know that you should help or reward the school?", 40% of parents chose the option "I was told directly." The answer option "No one asked for this, I did it to facilitate / speed up the admission procedure of admission" was confirmed by 27% of parents. 83.3% of principals welcomed the financial support of schools by parents, if that it was provided on a voluntary basis, transparent, and regulated by law.

REASONS FOR INFORMAL PAYMENTS IN THE SCHOOL SYSTEM



One of the reasons for extra-budgetary fees in the system of public education, according to teachers, is that funds do not reach schools because of certain actions of district or city centralized accounting departments (27% in Karakalpakstan, 20% in the Khorezm region, 20% in the Navoi region and the city of Tashkent, 18% in Andijan, 16% in Jizzakh, 14% in Kashkadarya regions, 12% in Syrdarya and Ferghana regions). Parents noted similar trends, referring to the lack of administrative and public control oversight over the formation and implementation of the school budget (36% in Navoi region and 17% in Karakalpakstan), as well as the fact that the money does not reach schools due to certain actions of the accounting departments of public education (average 11.3% of respondents in the republic). Some parents believe that schools are not financed at all (33% in Tashkent, 22% in Karakalpakstan, 21% in Tashkent region, 17% in Ferghana, 16% in Namangan, and 15% in Surkhandarya regions).

Low salaries of school workers also force to seek for alternative sources of income – tutoring, favoritism, exchange of favors with parents. As a result, unethical behavior is enrooted as a normal practice. Corruption risk factors come to the underdevelopment of infrastructure due to the opportunity of misusing of state funds and theft at different levels, as well as the influence and pressure of the school principal on teachers and parents, pressure on the school administration from outside by parents and higher structures.

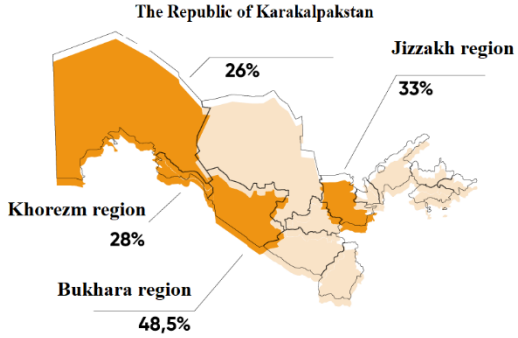
45.5% of teachers confirmed that they are forced to take on additional work due to low salaries. 26.3% of teachers noted that they agree with the proposal of parents to teach children for a fee. At the same time, 40% of teachers see the reason for extra-budgetary fees in low salary. Also, about a third of parents think that the low salary of school employees is the reason for the practice of extra-budgetary payments in the school system, and see a solution to this problem in raising the salaries of all school employees, including the cleaning staff.

Despite the fact that, according to the Ministry of Higher and Secondary Special Education, there is a sufficient number of graduating young teachers, in practice, due to the low image of the profession of a teacher, the human resources in general education institutions do not meet the pedagogical needs of schools. The insufficient level of qualifications and skills of school teachers hinders the successful implementation of the tasks set for the system of general secondary education, and contributes to inequality between schools and classes, and is seen as a corruption risk factor.

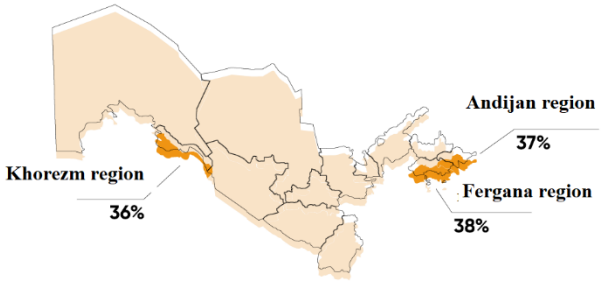
Problems with the psychological maturity of students is a separate challenge. Respondents from among teachers and principals point out to the lack of preparedness of children for school. That is conditioned by a weak connection between pre-school and primary education: nurseries do not always provide proper pre-school education, and not all parents send their children to nurseries. As a result, children come to school with different levels of preparedness. Some parents try to enroll their child in school before the specified age (under seven years old).

PSYCHOLOGICAL AND PEDAGOGICAL PREPAREDNESS OF CHILDREN IN ADMISSION TO SCHOOL

TEACHERS PROVIDED THE MAJORITY OF COMMENTS ON THE NEED OF INTERVIEW WITH A PSYCHOLOGIST AND A TEACHER



THE TOPIC WAS RAISED BY TEACHERS FROM NINE REGIONS OF THE REPUBLIC. THE HIGHEST INDICATORS ARE AS FOLLOWS:



SCHOOL PRINCIPALS: THE REASON IS IN THE LACK OF FORMATION AND DEVELOPMENT OF LOGICAL THINKING SKILLS FROM AN EARLY AGE IN FAMILIES, A WEAK CONNECTION BETWEEN PRESCHOOL EDUCATION AND PRIMARY SCHOOL.

An analysis of the perception of integrity of school staff and the ethical behavior of parents showed the need to raise awareness of parents about the procedures for applying to schools, and their responsibility for their children's performance.

The study gave an opportunity to respondents to voice other problems existing in the education system from all regions of the country, to make proposals for their elimination. Advanced global experience shows that the use of modern technologies, the widespread introduction of open data can significantly increase the transparency of processes, and, as a result, minimize a significant number of corruption risk factors.

The key product of the anti-corruption laboratory is expert recommendations to reduce corruption risks on identified issues.

Upon the analysis of all the data collected, the laboratory experts provided the following key recommendations:

• Creation of a unified open data platform covering all institutions of the public and preschool education sector, providing open data on the number of classrooms, students, vacant places in schools and preschool education institutions, with the opportunity of online admission to the primary schools without the need for parents to visit schools.

• Development of legal norms regulating the financial assistance of parents and ensuring transparency in the collection, distribution and use of funds, ensuring the full engagement of school administration and parents in planning and implementing the financial resources of schools.

• Mandatory coordination with the public and strengthening of public oversight over the transparency of planning and placement of designs of future schools, which provide a sufficient number of student places, as well as over the allocation and use of budgetary funds.

• Implementation of a comprehensive integrity system, which includes the practical application of the values and norms of integrity, enshrined in relevant rules and procedures (Code of Ethics, best practices for ethical employment).

• Organization of work with parents on a fundamentally new platform for a better understanding of their role, the rules of the ethics of the educational process, the integrity of school staff, and for the elimination of parental distrust in the system.

• Implementation of a notification system for cases of violation of integrity or poor conduct for all participants in the process

(within the Ministry of Public Education, its departments and within schools), and a system of sanctions in order to correct and prevention such behavior.

- Revision of the training (taking into account the needs of the regions, subjects and languages of learning) and advanced training system of pedagogical and managerial staff, ensuring transparent selection based on revealing natural abilities for the profession of a teacher, increasing the share of practical training in educational training portfolios. Effectively shape the skills of integrity and pride in the high title of a pedagogue among future teachers;

It is important to understand that the unethical behavior of adults, including parents, can be enrooted in the memory of children, who, from childhood, begin to perceive, for example, a gift to a teacher in exchange for a good grade, influencing a school principal to be transferred to another/better class, as a normal behavior. This makes it much more difficult to prevent the risks of corruption and violation of integrity in the present and in the future, and also downgrades the status of the teacher. The developed mechanism and methodology can be used to assess corruption risks in other areas as well. The anti-corruption laboratory submitted the recommendations to the Government of Uzbekistan, the Ministry of Public Education and the National Anti-Corruption Council for amendments and additions to the legislation.

Ensuring the transparency of the education system in Uzbekistan would reduce corruption risks, and ultimately might become a breakthrough and an example for other key areas.

MJUŠA SEVER,
Director of the Regional Dialogue NGO (Slovenia):



The Nationwide Movement "Yuksalish" conducted a large-scale study that covered not only schools in the capital, but in all regions of the Republic. Its results show the need to work with preschool education institutions, local communities and the health care system. We know that the leadership of Uzbekistan is investing heavily in the development of education. Since more than half of the population is young, the demand for education is very high.

UMIDA TUKHTASHEVA,
Deputy Director of the Anti-Corruption Agency:



The project clearly demonstrates that public associations can be active participants in anti-corruption processes, and show good results. The chosen topic is quite relevant and concerns almost every resident of the country.

KHUSHNUDBEK KHUDAYBERDIEV,
Deputy Director General of Uzbekistan National News Agency, lawyer, blogger:



Such surveys and studies are essential for reforming the state and society. Commonly, certain strategic decisions, documents and programs are based on the outlook of heads of specialized bodies, on how they understand and see the system. That is why,

I believe, the decision-making process primarily requires fundamental research, scientific justification and social surveys.

Lyudmila Stayshyunayte,
Project Manager, Anti-Corruption Laboratory

UZBEKISTAN ANTI-CORRUPTION DIGEST

INTERNATIONAL COOPERATION

THE MAIN DIRECTIONS OF INTERNATIONAL COOPERATION IN THE FIELD OF ANTI-CORRUPTION AND PLANS FOR THE FUTURE

In recent years, the problem of combating corruption has been recognized by the world community as one of the most pressing global problems. This scourge is not an internal problem of countries only, but also a transnational phenomenon affecting the economies of all countries, what is recognized by the world community, and mechanisms for international cooperation in the fight against corruption are being updated.

Today, international cooperation in combating corruption includes not only the issues of detention and extradition of persons who have committed corruption, the conduct of investigative actions or the return of assets by a foreign partner, but also large-scale measures to exchange experience in improving the efficiency of the system, improving the skills of personnel, implementing joint projects, developing proposals and recommendations, organizing events in the format of various international and regional organizations, conducting joint scientific and sociological research.

As UN Secretary-General A. Guterres noted in his speech of June 3, 2021: *"Together we must build stronger systems for accountability, transparency and integrity"*.

We see the devastating impact of corruption on the economy, politics and social life of states in vivid examples of crises in a number of countries.

At the same time, a number of countries that have an effective practice of fighting against corruption, such as Singapore, Sweden, Finland, are today recognized as among the most developed countries.

Each country has its own experience and practice in the fight against corruption, of which there are 3 main models that are widespread in the world:

– Model of Western European countries *(strengthening the role of the media, increasing the activity of the public and the business community, ensuring transparency and accountability of state bodies and organizations)*;

– Model of Southeast Asian countries *(training of personnel, creation of separate anti-corruption institutions)*;

– USA model *(improving the regulatory framework for combating corruption, the rules of ethical behavior of civil servants)*.

Use of regional and international cooperation mechanisms, i.e. organization of joint anti-corruption events, exchange of experience, development of recommendations within the framework of international organizations, scientific and logistical support in the fight against corruption serve to increase the effectiveness of countries' anti-corruption systems.

Since the last years of the twentieth century, a number of international documents have been adopted to achieve these goals, to establish multilateral cooperation in the international community in the field of combating corruption. In particular,

– On March 29, 1996, the Organization of American States adopted the Inter-American Convention against Corruption;

– On May 26, 1997, Council of the European Union adopted Convention against Corruption in respect of Officials of the

European Community or Officials of Member States of the European Union;

– On November 21, 1997, the Organization for Economic Cooperation and Development adopted the Convention on Combating Bribery of Foreign Public Officials in International Commercial Transactions;

– On January 27, 1999, the Committee of Ministers of the Council of Europe adopted the Criminal Law Convention on Corruption;

– On November 4, 1999, the Committee of Ministers of the Council of Europe adopted Civil Law Convention on Corruption;

– On July 12, 2003, the African Union Convention on Preventing and Combating Corruption was adopted by the Heads of State and Government of the African Union.

The adoption of the above documents paved the way for the adoption on December 9, 2003, of The UN Convention against Corruption, which is a universal document containing common international standards for combating corruption.

To date, 189 countries have signed the Convention, and the Republic of Uzbekistan has acceded to the United Nations Convention against Corruption by adopting the Law of July 7, 2008 "On the accession of the Republic of Uzbekistan to the United Nations Convention against Corruption (New York, October 31, 2003)". The main thrusts of the Convention are preventive measures, ensuring the inevitability of liability and law enforcement, international cooperation, asset recovery, technical assistance and information exchange.

It should be noted that article 6 of the Convention provides for that each Member-State, in accordance with the basic principles of its legal system, shall ensure that there is an authority or, where appropriate, authorities, that carry out activities to prevent corruption.

In recent years, our country has adopted a number of conceptually important normative legal documents in the field of anticorruption, which take into account the requirements of this convention and other international standards.

In particular, on June 29, 2020, two important documents were adopted that improved the institutional framework for combating corruption and served as an impetus for the development of this area - the Decree of the President of the Republic of Uzbekistan "On additional measures to improve the anti-corruption system in the Republic of Uzbekistan" and the Resolution of the President "On the organization of the activities of the Anti-Corruption Agency of the Republic of Uzbekistan". These documents created a new structure that implements the state policy on preventing and combating corruption – the Anti-Corruption Agency.

The Agency is defined as a specially authorized state body responsible for international cooperation in this area, and among its main tasks and activities are defined:

1. Implementation of international anti-corruption instruments and organization of their effective functioning, improvement of legislation in this area.

2. Development of proposals for the implementation of international standards and best world practices in the field.

3. Analysis of the effectiveness of the use of loans from international organizations and foreign countries, as well as the development of proposals for its improvement.

4. Taking systematic measures on the development of international cooperation in the field of preventing and combating corruption, strengthening the image of the country and improving its position in international rankings.

In order to implement these tasks, a large-scale work has been carried out during the period of the Agency's activity.

In particular, in order to widely introduce modern methods and tools for combating corruption in all state bodies, a "compliance control" system has been created and the Agency, together with the United Nations Development Program (UNDP), has developed 10 samples of internal departmental documents on organizing the effectiveness of combating corruption in the activities of ministries and departments in

accordance with the requirements of the international standard ISO 37001:2016.

To date, 12 ministries and departments have received such certificates.

In 2021, the Agency and the UN Office on Drugs and Crime implemented the project **"Building the capacity of civil society in the field of good governance in Central Asia"**. Within the framework of this document, the methodology of the National Corruption Perceptions Index was developed, cooperation was carried out to improve the methods of anti-corruption expertize of normative documents, conduct of sociological research, and study of foreign experience on sites.

In addition, the Agency and the OSCE developed the project **"Assistance in the fight against corruption in Uzbekistan"** for 2021–2022, which is being implemented in accordance with the Action Plan signed between the two organizations.

Within the framework of the project, measures are being taken to ensure the openness of state bodies and organizations and work with open data.

Also, in cooperation with the UNDP, a platform for reporting cases of corruption to the Agency (eanticor.uz) has been developed and is being improved. Currently, practical work is underway to launch a mobile version of this platform.

In addition, in cooperation with the same international organization, an online magazine **"Uzbekistan Anti-Corruption Digest"** was created, which is published monthly in Uzbek, Russian and English.

In recent years, a number of measures have been taken to implement the UN Convention against Corruption and other international standards into national legislation:

– **in November 2021**, in order to comply with the requirements of article 10 of the Convention *(public sector accountability)* and actively promote the implementation of special anti-corruption measures in the private sector, the Chamber of Commerce and Industry, the Business Ombudsman and the Agency announced the **Anti-Corruption Charter of Business of Uzbekistan**;

– in accordance with the requirements of the above article, **on June 16, 2021**, in order to increase the openness and accountability of the activities of state bodies and organizations, the Decree of the President of the Republic of Uzbekistan No. UP-6247 **"On additional measures to ensure the openness of the activities of state bodies and organizations, as well as effective implementation of public control"** was adopted, according to which a list of information of public importance and subject to open publication was approved;

– according to the requirements of the Convention, the State Anti-Corruption Program for **2021–2022** provides for the definition of a clear list of articles of the Criminal Code that fall under the category of corruption crimes, an increase in punishment for corruption crimes up to long terms of imprisonment, establishing liability for illicit enrichment identified in the process of declaring income and property, as well as the introduction of restrictions on the use of mitigating norms in the criminal punishment of persons who have committed crimes of corruption.

The Agency, together with international partners, organized **more than 50** major events (forums, conferences, training seminars). In addition, **more than 100 meetings** with representatives of international organizations, foreign anti-corruption authorities and embassies were held to ensure the fulfillment of tasks related to the activities of the Agency. In particular, meetings were organized with:

– The United Nations Development Programme, the United Nations Office on Drugs and Crime, the EU Delegation to Uzbekistan, the OSCE, the International Heritage Foundation, the German Foundation for International Cooperation (GIZ), the International Non-Governmental Organization "Regional Dialogue", the International Fund for Agricultural Development (IFAD), the World Bank and the International Monetary Fund;

– Embassies of the People's Republic of China, Japan, Great Britain, Sweden, Finland, Russian Federation, Norway, Switzerland;

– heads of anti-corruption bodies of Ukraine, Azerbaijan, Kazakhstan, People's Republic of China, Tajikistan, Pakistan, Afghanistan, Moldova, Arab Republic of Egypt, Malaysia and Singapore.

Seven Memorandums of Cooperation and three Programs of Cooperation with international organizations and foreign anti-corruption agencies were signed.

In particular, memorandums and cooperation programs were signed between the Agency and the UN Office on Drugs and Crime, the Organization for Security and Cooperation in Europe, the Representative Office of the Konrad Adenauer Foundation in Uzbekistan, the Anti-Corruption Agency of the Republic of Kazakhstan, the Agency for State Financial Control and Anti-Corruption of the Republic Tajikistan, Diplomatic Mission of Great Britain in Uzbekistan and the Intergovernmental Cooperation Service, Slovenian Anti-Corruption Commission, the Organization for Security and Cooperation in Europe and the International Anti-Corruption Academy.

At the same time, draft memorandums of understanding have been developed with the anti-corruption agencies of the People's Republic of China, Armenia, Belarus, Moldova and Malaysia and are currently being agreed with partner organizations.

Five business trips of the Agency's delegation to seven foreign countries have been organized *(to the Republic of Azerbaijan, Germany, France and Austria, the Arab Republic of Egypt and the Republic of Kazakhstan)*.

On the occasion of the International Anti-Corruption Day, the practice of holding an annual Anti-Corruption Week has been introduced. During the week, events were organized in cooperation with UNDP, UNODC, OSCE, EBRD, the Organization for Economic Cooperation and Development, the International Non-Governmental Organization "Regional Dialogue", the Konrad Adenauer Foundation and UNICEF.

Within the framework of the events, forums and conferences of various levels and formats, contests, promotions and flash mobs, round tables, trainings and talk shows were held.

On June 16, 2021, the 4th meeting of the heads of the anti-corruption bodies and ombudspersons of the member states of the Economic Cooperation Organization was held in Tashkent. It was attended by over 40 representatives of Member States.

During the meeting, the issues of the exchange of regional experience in the field of combating corruption between the Member States, the formation and implementation of a unified mechanism of anti-corruption policy between the Member States, as well as the development of additional proposals in the system, the professional development of employees operating in the field were discussed, and the consideration of the possibility of joining the charter of the ECO Regional Center for combating corruption was agreed.

The Agency is carrying out practical work to further strengthen international cooperation in combating corruption, expanding the effectiveness and geography of cooperation.

UZBEKISTAN ANTI-CORRUPTION DIGEST

DIGEST

DOCUMENTS WHICH ARE ADOPTED IN THE FIELD OF COMBATING CORRUPTION

1. Decree of the President of the Republic of Uzbekistan dated June 29, 2020 No. PR-6013 "On additional measures to improve the anti-corruption system in the Republic of Uzbekistan".

2. Resolution of the President of the Republic of Uzbekistan dated June 29, 2020 No. PR-4761 "On organizing the activities of the Anti-Corruption Agency of the Republic of Uzbekistan".

3. Decree of the President of the Republic of Uzbekistan dated June 16, 2021 No. PD6247 "On additional measures to ensure the openness of the activities of state bodies and organizations, as well as the effective implementation of public control".

4. Decree of the President of the Republic of Uzbekistan dated July 6, 2021 No. PD-6257 "On measures to create an environment of intolerance towards corruption, a radical decrease of corruption factors in the field of state and public administration and expansion of public participation in it".

5. Resolution of the President of the Republic of Uzbekistan dated July 6, 2021 No. PR-5177 "On additional measures for the effective organization of anti-corruption activities";.

6. The Regulation "On the National Anti-Corruption Council of the Republic of Uzbekistan" was approved by Protocol No. 4 of the National Anti-Corruption Council of the Republic of Uzbekistan dated August 19, 2021.

7. The Regulation "On territorial anti-corruption councils of the Republic of Uzbekistan" was approved by Protocol No. 4 of the National Anti-Corruption Council of the Republic of Uzbekistan dated August 19, 2021.

8. Law of the Republic of Uzbekistan No. PR729 dated November 18, 2021 "On amendments and additions to certain legislative acts of the Republic of Uzbekistan in connection with the improvement of the anti-corruption system in the Republic of Uzbekistan".

9. Resolution of the President of the Republic of Uzbekistan dated December 7, 2021 No. PR-34 "On additional measures to further improve the activities of the Anti-Corruption Agency of the Republic of Uzbekistan".

10. Resolution of the President of the Republic of Uzbekistan dated January 12, 2022 No. PR-81 "On measures to introduce a rating system for assessing the effectiveness of anti-corruption work".

UZBEKISTAN ANTI-CORRUPTION DIGEST

GUEST

THERE IS NO SINGLE, UNIVERSAL APPROACH TO ANTI-CORRUPTION REFORM. – Khachik Harutyunyan*



* The next visitor of our guest page is Khachik Harutyunyan, UNDP Advisor on Anti-Corruption and Good Governance, the alumnus of the Faculty of Law at the University of Zurich, international expert.

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– What are the main factors inducing to accomplishment of effective fight against corruption in countries?

– The examples of successful countries come to prove a long-standing anti-corruption 'wisdom': The main ingredient for success is the strong political will from the top. Having in place strong anti-corruption demand side is also very important. However, the remaining ingredients depends on the local context. Challenges, problems in each country is different and diagnosis shall be different too. There is no one-size-fits-all approach in anti-corruption reforms.

For example, much has been done in Armenia in terms of anti-corruption reforms (creating Anti-corruption Committee, Corruption Prevention Commission, specialized anti-corruption judges, specialized prosecutor's office for Asset Recovery, enhancing asset declaration system by introducing declarations of expenses and enlarging the coverage of subjects who must submit declarations) but the main 'secret ingredient' behind the success was and is strong political will from the side of Prime Minister. The tax and customs agencies in a very short period transformed from punitive system into business-friendly systems. In terms of Georgia, the country conducted number of reforms in police, customs and tax administrations, public services.

Another impressive example, Kingdom of Bhutan is quite fascinating and interesting sample. The locomotive of reforms there again was the leader of the country-the King. Kingdom of Bhutan has 68 points under CPI and its rank is 25th among 180 nations (quite solid position). One of the innovations of Kingdom of Bhutan is that it stipulated in its

Constitution that it is right and duty of every citizen to fight corruption.

– International Organizations, generally bring problems that are based on conducted studies. However, they contain quite low number of solutions and directions aimed at concrete problem. Based on this, in your opinion, with which evaluating organizations we shall enlarge our cooperation.

–Well, I would not fully agree with this question. In my opinion, the findings of the mentioned surveys are per se actions for recommendations. Let's take for example CPI of TI. We know that it is a composite index and we can quite easily track the reasons for increase or decrease of a country's score. For example, if the low score is connected with findings of Freedom House's Nations in Transit, then we can easily understand what we must change and reform.

What I really consider important is to have in place strong Civil Society which over years will establish cooperation with various international non-governmental networks such as Transparency International, UNCAC Coalition and etc. If, for example, there would be in Uzbekistan official chapter of Transparency International, then for sure one of its early research products would be National Integrity System Assessment, which is a fundamental study and shows all strengths and weaknesses of the country (not only public sector, but also private sector and civil society) in combatting corruption.

– Fight against corruption is a process composed from elements aimed at raising legal awareness and legal culture, adoption of preventive measures and securing inevitability of punishment. If we would consider the whole anti-corruption process as 100% then in which order you would put (in percentages) elements for fighting corruption.

– It is an interesting question. I would say:

1. 99% - inevitability of punishment.
2. 0.5% - adoption of preventive measures.
3. 0.5% - awareness raising.

Why I have put at first place "inevitability of punishment"? Surely, here I also assume that punishment is not selective, but universal and without any discrimination. However, why 99% to this factor? Because this is a perfect indicator of existence of political will. In many countries, we can find very strong anti-corruption legislation, but zero enforcement. Sure, building necessary anti-corruption institutional and legislative infrastructure is extremely important, but if that infrastructure is not being enforced fairly, effectively and without any discrimination, then what is the use of it? It is the same as if one has very big library but does not read at all.

– In recent years in the Uzbekistan has been conducted many reforms in the field of anti-corruption. From this viewpoint, can you enumerate those reforms that you consider as more conceptual?

– I would say that the most important ones for me are the adoption of the law on combating corruption, establishment of ACA and adoption of law on public procurement.

– Uzbekistan created Anti-Corruption Agency back in 2020 which is responsible for coordination of anti-corruption policy and running state policy in this field. Prevention of corruption, enhancement of preventive mechanisms has been set as the main direction of operation for the Agency. In which countries agencies like ours work effectively and taking into consideration the current situation in Uzbekistan, how you would characterize this path?

– In many countries, for example, in Slovenia, France, Montenegro (to name just few). In terms of characterizing the way then I must say that in general having established prevention AC body is a safe road. Why? Because it conducts necessary preparatory work after which (or based on the accumulated success of which) multifunctional agency can be created.

– In your opinion, whether leading international ratings/assessments on situation of corruption are capable of producing full picture in countries?

– Let me quote Sir Winston Churchill and make analogy with this situation: "The democracy is the worst form of government-except for all the others that have been tried".

What he meant there was you may not like democracy as a form of government, but still humanity has not invented something better? In other words, what else we have?

Coming back to the question, let me draw parallels. Yes, sure, there are problems with some of the indices and the authors of these indices acknowledge that: We have what we have. However, the anti-corruption expert community constantly works on producing better indices and new indices. I believe that in 5-10 years period we will have fundamentally new and quite cohesive indices.

– What kind of aspects and measures are necessary to undertake for effective involvement of youth in anti-corruption?

– As Francis Bacon once said: "If old people could do, if youth would know". What he wanted to stress in this saying is that youth has massive energy but the owners of wisdom are aged people who accumulated that wisdom based on own experience and learning from mistakes of others. The power of youth in bringing changes is massive. What is necessary for effective engagement of youth is first to talk on their own language. Secondly, those shall be talk with them who are role-models for them: people who are liked and trusted by youth.

– On what directions shall be the focus in terms of anti-corruption?

– When I look at the situation as an independent observer, then I see a picture with many problems and priorities. In terms of priorities, firstly, enhancement of anti-corruption institutional framework by following international hard and soft law instruments. Secondly, adoption of Anti-corruption Strategy based on international best practices and on hard and soft law instruments. Thirdly, enhancement of legislation and practice governing establishment, operation and participation of civil society (first and foremost NGO-s). In other words, enhancement of the demand side and it assumes also reforming other pieces of legislation which are connected with effective operation of civil society. Fourthly, bringing anti-corruption to regions. Fifthly, protection of whistleblowers and reforming legislation. Sixthly, reforms aimed at enhancing independence of Judiciary. Seventhly, enforcement of legislation and sending strong message to public that punishment for corruption is inevitable. These all together, will create strong public support to anti-corruption fight and public trust towards anti-corruption reforms.