

UZBEKISTAN ANTI-CORRUPTION DIGEST

GUEST

Vladimir Kozin: “Reforms should be carried out in an integrated manner and cover both the issues of preventing corruption and combating it”.



* international expert and regional adviser on combating corruption of the UN Office on Drugs and Crime.

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Currently, a number of changes and innovations are taking place in Uzbekistan in the fight against corruption. These changes have been conceptual and institutional, especially over the past two years.

Naturally, many people are interested in the assessment of these reforms by international organizations and experts, the degree of compliance of the changes with international standards and the latest international trends in the fight against corruption.

That is why the magazine has a “guest” page, and this time its guest is Vladimir Kozin, international expert and regional adviser on combating corruption of the UN Office on Drugs and Crime.

Vladimir Kozin is an alumnus of the George Washington Law School. His track record includes work at the Moscow State Institute of International Relations (MGIMO), as well as work at the UN and the World Trade Organization (WTO).

1. Your opinion on the general trends in anti-corruption spheres observed in the world community in recent years.

The fight against corruption will remain topical at all times, even when its level can be minimized. After all, any weakening of efforts to combat corruption will only lead to its strengthening. We observe that recently the international community has intensified its actions in this direction. The recent holding of the General Assembly Special Session on Challenges and Measures in the Field of Preventing Corruption, Combating it and Enhancing International Cooperation in this and the creation of the Global Operational Network of Anti-Corruption Law Enforcement Agencies (GlobE Network) only confirm this.

2. The fight against corruption is an urgent problem facing the world community. In turn, the fight against it is always on the agenda of both developed and developing countries.

Using the example of developing countries, what anti-corruption reforms have caught your attention and what aspects can you focus on?

In the context of developing countries, it is very important that reforms take into account the full range of problems associated with corruption. Reforms should be carried out in an integrated manner and cover both the issues of preventing corruption and combating it. In this regard, it is very important to have political will and qualified personnel, as well as to introduce the concept of rejection of corruption as an important social value.

From a practical point of view, the greatest success in the fight against corruption, as a rule, is achieved by countries that have managed to establish effective interaction with civil society and business and involve their activists not only in the search and disclosure of information about corruption, but also in the analysis of open data, as well as improving the legal framework and, in particular, mechanisms for regulating economic activity. An efficiently established open dialogue with stakeholders from civil and business communities at the stage of development and adoption of regulatory decisions in the economic sphere makes it possible to more clearly define both the benefits of innovations and the costs, including those associated with corruption. Where the result of such a dialogue becomes better and more transparent decisions, in the implementation of which the Government ensures the maximum possible transparency, the confidence of citizens and business in the state will only increase. In addition, their readiness to reduce shadow economic activity is increasing, which has a positive effect on tax revenues.

3. As noted above, the fight against corruption is a global process and an international cooperation is gaining in importance. In this regard, what is the role of developing countries in the fight against corruption, what is the relevance of the implementation of international standards in this regard?

International standards in this area have already been set out in the UN Convention against Corruption, which at the moment already covers almost all countries of the world. Developing countries should make more active use of this Convention as a legal basis for international cooperation. Unfortunately, there is still a lot of work to be done in this regard.

It is important to emphasize that today there has already been vast experience in the implementation of the best practices of good governance, as well as the necessary base of international standards in this area has been formed. Developing countries that properly begin to apply the best practices of good governance are able to accelerate their own economic and social development only by the fact that resources that were previously consumed by corruption begin to be directed to areas that are important for their development, and their use is carried out responsibly, rationally and in transparent manner.

In this context, one can only welcome the efforts of the Republic of Uzbekistan to introduce international standards of good governance, mechanisms of competitive recruitment of civil servants, declaration of their income, reducing the risk of conflict of interest in the performance of official duties and other measures.

4. Fighting corruption is a process consisting of elements aimed at raising legal awareness and legal culture, establishing preventive measures and ensuring the inevitability of punishment. If we take the anti-corruption process as a whole as 100%, in what order would you determine the location (in percentage) of anti-corruption elements?

It is very difficult to place precise accents on this issue. Each of these elements is critically important for preventing corruption

and the value of their percentage may change depending on the specific period of anti-corruption reforms. It is much more important to focus the efforts of anti-corruption policy on the concomitant development of each of these areas.

5. In recent years, Uzbekistan has also carried out a number of reforms in the field of combating corruption. At this stage, can you list the reforms that you consider to be the most conceptual among them?

Indeed, we see significant changes in this area in Uzbekistan. First of all, it is worth noting the presence of political will and a lot of work in all the above-mentioned areas, if these trends continue, they will certainly lead to a positive result. As I have already noted above, the measures taken to increase the transparency and accountability of government bodies, as well as civil servants to society, play an important role, since they create a platform in which every decision made is accompanied by an open analytical process and dialogue with society and business and at the stage of execution of decisions - reporting on the work done. This allows civil society activists to independently monitor the effectiveness of government agencies, drawing the attention of supervisory and law enforcement agencies to the most suspicious and risky transactions.

Efforts to improve the mechanisms of rule-making and law-making by strengthening the mechanisms of anti-corruption expertise of legislative acts and their drafts are no less important. We can note with satisfaction that the recommendations of the UNODC in this area have been reflected in the latest decisions of the President of the Republic of Uzbekistan.

Special attention should be paid to the efforts of the republic to form a legal framework that would prevent a conflict of interests in the exercise of civil servants' powers. It is necessary to track and analyze its results. With account taken of the practice of enforcement of law and the actual impact, it will be possible to consolidate innovations at the level of legislative acts.

Lots of of the novels that are being adopted in Uzbekistan require continued debate in terms of feasibility and their potential to have a real impact.

In this regard, it is very important to continue monitoring the practice of enforcement of law and, on its basis, to form more sustainable legislation which ensures the criminalization of corruption offenses in accordance with the provisions of the UN Convention against Corruption.

6. You are not indifferent to Uzbekistan and its reforms. As you can see, an anti-corruption agency was created in 2020 in the country to coordinate anti-corruption policy and conduct state policy. The main activity of the Agency is the prevention of corruption, that is, the strengthening of preventive mechanisms. In which countries do these types of agencies work effectively, and given the current situation in Uzbekistan, how accurate is this path?

The establishment of the Agency is an important step in the process of building an effective institutional system to prevent and combat corruption. Indeed, there are different models. In some countries, similar agencies operate, in others, anti-corruption bodies combine the functions of preventing corruption and law enforcement. It is also worth noting that there are countries in which there are no special bodies for the prevention of corruption, and the corresponding tasks are solved in other ways. Assigning the Agency coordination functions and extensive powers in the field of corruption prevention seems to be a logical step in the framework of ongoing reforms.

7. Starting next year, Uzbekistan will introduce a system for declaring the income of civil servants. What is the role of this system in preventing corruption on the example of developing countries. What should be considered for the effective implementation of this system?

The system for declaring the income of civil servants is a necessary prerequisite for ensuring transparency in public administration, avoiding conflicts of interest, as well as the successful application of anti-corruption legislation. Developing countries that introduce income declaration systems are certainly achieving better successes in the fight against corruption. For the successful functioning of this system, it is necessary to have a sufficient legal framework, as well as an institutional system and resources.

8. How fully, in your opinion, can the leading international rankings for assessing the state of corruption reveal the level of corruption in countries?

Although in recent years there has been a steady increase in such ratings and indices in Uzbekistan, we still cannot say about positive results in the ratings. What else needs to be done to prevent this situation?

We proceed from the principles contained in the basic documents of the Implementation Review Mechanism of the UN Convention against corruption, which exclude the use of rankings and ratings in this area.

Corruption exists in one form or another in virtually every country in the world. At the same time, countries strikingly differ from each other in economic and social development, historical path, culture, religion, etc. Therefore, the introduction of rankings and ratings / indices in the field of combating corruption can hardly be objective and express complex realities in their entirety.

It should be emphasized that the fight against corruption is not a competition, but a routine work that requires continuous, consistent and comprehensive efforts of both state institutions and civil and business communities.

9. What areas do you think should be considered in the future for the fight against corruption?

Such areas may include enhancing anti-corruption education and rejection of corruption through enhancing legal awareness and legal culture, including through work with youth. The involvement of the brightest and most popular figures of mass culture has enormous potential, who through their works can reach the hearts of youths and contribute to the formation of internal principles and stereotypes of behavior that deny unscrupulousness and a thirst for enrichment at any cost, and encourage honesty, openness and a healthy competitive spirit.