

**ZERO-TOLERANCE TO CORRUPTION  
SHOULD BECOME PART OF OUR LIVES**

**Shavkat MIRZIYOEV**

Anti-corruption Agency of the Republic  
of Uzbekistan



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#### CONTACT

ADDRESS: 100070 Tashkent, Yakkasaray district, Sh. Rustaveli street, 8 A (destination: Grand Mir Hotel)

Phone: 71 202 04 02

E-mail: [info@anticorruption.uz](mailto:info@anticorruption.uz)

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# UZBEKISTAN ANTI-CORRUPTION DIGEST

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**UZBEKISTAN ANTI-CORRUPTION DIGEST****WELCOMING SPEECH***Dear Readers!*

Welcome to the Information Digest of the Anticorruption Agency of Uzbekistan!

We are all happy to be witnessing significant changes taking place in the country on anti-corruption front. The Government implements wide-ranging reforms to prevent and fight against this crime. These efforts have continued during the pandemic and lockdowns. Introducing anti-corruption provisions and related tasks into national development and investment programs have become a standard practice.

In a short time, the legislative framework of the fight against corruption was enhanced; Anti-corruption programs were adopted; Anti-corruption Agency was established. National Anticorruption Council and Territorial Anticorruption Councils in regions work on successful coordination and cooperation of all bodies at all levels. The media and civil society are becoming an important element of an effective anti-corruption and public oversight system. Openness and transparency are gradually becoming fundamental and crosscutting principles of the public administration.

The Anti-Corruption Agency, as an authorized body for implementation of these principles in government processes, understands well how important it is to inform the public constantly and as much as possible about the changes taking place. Therefore, this new initiative comes – the issuance of a regular electronic Anti-corruption Information Digest.

The Digest is intended to be an informative newsletter, which provides high-quality information, offers the reader a detailed overview of everything that is happening in the country in the field of anti-corruption reforms and around them.

It will keep the articles easy-to-read, with key information in just a few short paragraphs in three languages - Uzbek, English and Russian, for a wide range of readers, both within and outside the country.

We congratulate the Agency on this new initiative, and wish it success and a large audience.

Be sure to subscribe to this new Digest and enjoy the most reliable and valuable news on anti-corruption.

Enjoy the read!

Matilda Dimovska,  
United Nations Development Programme  
Resident Representative in Uzbekistan

## INTRODUCTORY ARTICLE

**THE MAIN DIRECTIONS OF STATE POLICY IN THE FIELD OF COMBATING CORRUPTION****Tanzila NARBAEVA \***

\* Chairwoman of the Senate of the Oliy Majlis of the Republic of Uzbekistan

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Corruption is a vice that destroys a society and nation from the inside and leads to the decline of the foundations of the state system and the decomposition of social foundations.

Corruption and its consequences have an impact on the economic, social, political spheres, and also affect the international image of Uzbekistan. Manifestations of corruption can lead to destructive inactivity of the mechanisms of the economy and the collapse of the country. This inevitably leads to social problems, and subsequently to the protests of the population. The appearance of facts of corruption invariably lead to the stratification of various segments of the population. It discredits the principle of the rule of law, namely the law is equal for all, and in the political sphere – to the loss of public trust in the current government.

Therefore, the first document that Shavkat Mirziyoyev signed as President upon taking office in 2016, was the Law of the Republic of Uzbekistan "On Combating Corruption".

The main directions of state policy in the field of combating corruption were defined by the law.

In particular, raising the legal awareness and legal culture of the population, the formation of an intolerant attitude towards corruption in society, the implementation of measures to prevent corruption in all spheres of state and public life, the timely detection, suppression of corruption offenses, elimination of their consequences, causes and conditions, conducive to their commission, ensuring the principle of inevitability of responsibility for committing corruption offenses are among them.

Over the past short period, there have been created organizational and legal mechanisms aimed to implementation state policy in the field of combating corruption.

In particular, there have been adopted more than 80 normative legal acts aimed to combating corruption factors in all spheres of state and social construction.

It was created the Anti-Corruption Agency, which is a specially authorized state body responsible for the formation and implementation of state policy in the field of preventing and combating corruption.

There have been established the activities of individual anti-corruption committees in both chambers of parliament.

The Agency was established in order to coordinate the activities of bodies and organizations responsible for combating corruption, to comprehensively study the state of work carried out in the field, improve existing legislative acts, and develop effective anti-corruption measures. The National Anti-Corruption Council of the Republic of Uzbekistan and its territorial councils were formed.

The purpose of entrusting the Senate with the task of guiding the National Council is to establish effective parliamentary that is public control in this area.

The work we have begun to combat corruption has become irreversible character. It was especially emphasized in the Shavkat Mirziyoyev's speech at the joint session of the chambers of the Oliy Majlis, dedicated to the solemn ceremony of inauguration of the President of the Republic of Uzbekistan.

In particular, it was noted the need to go beyond the attracting perpetrators to legal responsibility and taking systematic preventive measures, realizing effective measures on this basis to prevent not only the consequences, but also the causes of corruption.

Currently, in our country it takes action to eliminate bureaucratic barriers and reduce the "The shadow economy", projects "Sphere without corruption" are being implemented in the system of higher education, healthcare, construction and state procurement.

A system of internal anti-corruption control ("compliance control") is being introduced in state and economic management, state-owned enterprises and enterprises with a state share in the authorized capital as well as banks.

It is being established the maintenance of an open electronic register of persons found guilty of committing corruption offenses. Thus, persons included in the register are prohibited from entering the state service and being awarded state awards, it is prohibited to nominate their candidates for elective and specially appointed positions and they are also prohibited from exercising a number of other rights.

With the widespread use of the capabilities of information and communication technologies in many areas, especially, in the provision of state services, effective mechanisms are being introduced, aimed at reducing the corruption and human factor, as well as prevent various abuses. Today through modern information and communication technologies, more than 150 state services are provided to the population.

Due to the widespread using of the possibilities of digital and online technologies, the responsibility of state authorities and administrations to the public are increased, the transparency of their activities is ensured, which gives impetus to the development of the institution of public control, which is an important tool for preventing and combating corruption.

The ongoing anti-corruption reforms are also recognized by the international community and rating organizations.

For example, if in the Corruption Perceptions Index of the international organization "Transparency International" Uzbekistan took 157th place among 180 countries in 2017 and by 2020 Uzbekistan has climbed 11 steps and took 146th place.

According to the "The absence of corruption" indicator of the Rule of Law Index, compiled by the international non-governmental organization "World Justice Project", Uzbekistan climbed 19 positions in the ranking compared to the previous year and took 70th place among 139 countries in 2021.

One more example, in the ranking of open data, which is compiled by the international non-governmental organization "Open Data Watch", in 2020 Uzbekistan took 44th place among 187 countries, 1st place in Central Asia and among Asian countries became the country with the greatest growth.

To rise to a new level of the uncompromising fight against corruption was noted by the President of the Republic of Uzbekistan at the 75th session of the UN General Assembly.

It should be noted that the policy pursued by the head of state to create a new Uzbekistan is based on the transformation of Uzbekistan into a country free from corruption.

For this, it is of great importance to unite all the healthy forces of our society against this evil, including ensuring close interaction between the parliament, executive authorities, local representative bodies and the public.

## PUBLIC POLICY

**THE FIGHT AGAINST CORRUPTION HAS BECOME A COMMON GOAL OF THE PEOPLE AND GOVERNMENT AGENCIES IN UZBEKISTAN****Akmal BURXANOV \***

\* Director of the Anti-Corruption Agency of the Republic of Uzbekistan

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The image of our country on the world stage has completely changed as a purpose of the principles of openness and equal cooperation in domestic and foreign policy pursued in Uzbekistan in recent years.

The international community is watching with interest every action and direction of reforms of the Uzbek side. In this regard, the main attention is paid on issues like ensuring human rights, the formation of an active civil society, the creation of conditions for freedom of speech, growth in the economic sector and the welfare of the population.

It is noteworthy that in the process of dialogue with foreign experts and international partners we found out that our reforms in the fight against corruption are also highly evaluated.

President Shavkat Mirziyoyev has made the fight against corruption one of the priorities of state policy. Structural and organic changes have taken place in this area as well as in all areas.

In particular, reforms in such areas as improving the legal framework, creating an institutional foundations for combating corruption, digitalization of sectors, ensurance of transparency of public administration bodies activities and ensuring the principle of inevitability of punishment.

Below we will focus on the most important purposes of these directions.

**Improving the legal framework for combating corruption**

Over the past period, Uzbekistan has become an active participant in the global anti-corruption process and is strengthening the relevant legal framework at the national and international levels.

The accession of the Republic of Uzbekistan to the United Nations Convention against corruption in 2008 and the accession to the Istanbul action plan of the Anti-Corruption Network of the Organization for Economic Cooperation and Development in 2010 were one of the main and important steps on the international level.

In order to organize the fight against corruption at the national level, the necessary measures and a set of national legislation have been adopted and a national legal doctrine in this area has been formed.

For example, the Law on Combating corruption, State Anti-corruption programs for 2017-2018, 2019-2020 and 2021-2022, as well as more than 80 normative and legal acts in the field of prevention and combating corruption have been adopted. In particular, the Laws on Public procurement, the Law on Administrative procedures, the Law on Public-Private partnerships, the Law on Dissemination and Use of Legal Information, and the Law on Public oversight are essential in that they serve to ensure economic growth through the fight against corruption.

At the same time, a number of important documents were adopted in 2021 to combat corruption and ensure the openness of government agencies.

In particular, the Presidential Decree "On additional measures to ensure the openness of government agencies and organizations, as well as the effective implementation of public control" has been adopted, which brought the openness and transparency of the system of government agencies to a new level.

At the same time, in July 2021, two important documents were adopted by the initiative of the President, the Presidential Decree "On measures to create an environment of intolerance to corruption, drastically reduce corruption factors in public administration and expand public participation in this regard" and the Presidential Decree "On additional measures for the effective organization of anticorruption activities".

These documents provide for institutional changes in a comprehensive approach to combating corruption.

They include both preventive mechanisms to combat corruption and mechanisms to ensure the inevitability of punishment for corrupt practices and increase the responsibility and accountability of public servants.

It should be noted that documents introduced such internationally recognized standards, modern preventive mechanisms, such as ensuring greater openness in the activities of public authorities, creating the system of declaration of property and income of public servants, the establishment of more transparent public procurement, prevention of conflicts of interest, and open competition in the recruitment to the civil service.

#### **The institutional framework for combating corruption is being formed**

On June 29, 2020, two important documents promoting the development of anti-corruption – the Presidential Decree of the Republic of Uzbekistan "On additional measures to improve the anti-corruption system in the Republic of Uzbekistan" and the Presidential Law "On the organization of the activities of the Anti-Corruption Agency of the Republic of Uzbekistan" were adopted. With these documents, a new state body that will implement the state policy aimed at preventing and combating corruption – the Anti-Corruption Agency was established.

This Decree ensured the implementation of Articles 6 and 36 of the Convention against corruption of the United Nations (hereinafter referred to as the UN), which requires the establishment of a specially authorized state body to combat and prevent corruption in an independent state.

The Agency has been designated as a specially authorized state body responsible for ensuring the effective interaction of government agencies, the media, civil society institutions and other representatives of non-governmental sector, as well as international cooperation in this area.

The Agency directly reports to the President and is accountable to Parliament.

Implementation of state policy in the field of prevention and combating corruption, systemic analysis of the state of corruption in the country, ensuring the effectiveness of anti-corruption expertise of regulations and their drafts, development of international cooperation in preventing and combating corruption and strengthening the country's image have been identified as the main tasks and **areas of activity** of the Agency.

The Decree mentioned above also established the National Anti-Corruption Council.

Its main task is to coordinate the activities of bodies and organizations involved in and participating in the fight against corruption.

In order to carry out the same task at the regional level, regional anti-corruption councils were established.

In the field of combating corruption, effective mechanisms are being introduced to eliminate the causes and conditions of this trouble, in line with foreign practices.

In 2020-2021, measures have been taken to gradually establish internal anti-corruption control systems in all public and economic administration bodies. As a result, the timely identification and elimination of corruption risks, the elimination of its consequences, the causes and conditions that allow them, the areas in which corruption risks may occur are being identified.

#### **Digitalization and ensuring openness as key tools to prevent corruption**

Systematic work is being carried out in our country to introduce openness in public administration, bringing the state of openness of information for public use, the level of openness and quality of information in line with international requirements, the digitization of all services.

In a short amount of time, online platforms have been launched that allow for public discussion of draft normative-legal acts, watching and real-time tracking information on public budget and debt, as well as on public procurement. The activity of the open data portal has reached a qualitatively new level, the Single interactive portal of public services, the electronic

It should be noted that the following practical results have been achieved as a result of these reforms.

**First**, practical measures have been adopted to ensure the freedom of the media, journalists and bloggers, the openness of government agencies to the public and the media, and the establishment of close communication and cooperation with journalists in the day-to-day activities of head officials.

**Second**, the widespread use of digital and online technologies has increased the accountability of government agencies to the public. Sale of land plots and state assets, as well as a number of other property through online auctions, electronic notarial systems have been established and are constantly being improved.

**Third**, the openness and transparency of the activities of government agencies and organizations ensure freedom of access to information. As a result of disclosure of all necessary information, reports, information on financial expenses, decisions of governors with respect to the activities of organizations, effective public control is established.

**Fourth**, the process of appointment of civil servants is open to all and is carried out on a competitive basis and any citizen has the opportunity to observe these processes.

**Fifth**, Public Councils have been established under each state body, including law enforcement agencies, the Council of Ministers of the Republic of Karakalpakstan, regional and Tashkent city khokimiyats. Of course, such councils are becoming an important link in establishing effective public control over the activities of government agencies.

#### **The main tasks set in the near future in the fight against corruption**

Of course, the fight against corruption requires implementation of regular changes and updates. The disaster of corruption will defeat those who are left behind the speed of the time.

Therefore, we still have a number of important tasks ahead of us. Licensing system and the portal of public appeals "My opinion" have been launched.

In particular, from 2022, a system for declaring the income and property of public servants will be introduced. In this regard, the Anti-Corruption Agency, together with the relevant departments, has developed a draft law regulating this industry.

It is planned to adopt a long-term and medium-term National Strategy to combat corruption, which reflects all our goals, and its initial draft was discussed with the participation of experts, scientific circles and academia and non-governmental non-commercial organizations.

Work is underway to launch an open electronic register of people found guilty of corruption crimes. This institution also provides an opportunity to involve the general public in the process of preventing corruption.

Besides, a system for assessing the prevalence of corruption in government agencies, including in the regions, is being introduced. An important aspect of this system is that surveys are to be conducted among the general population, business entities, including enterprises with foreign investment in Uzbekistan, local and international experts, and the analysis of the results of surveys shall determine the combating of corruption in government agencies and regions.

Implementation of measures will continue to bring anti-corruption legislation in line with international standards and to implement some provisions of the United Nations Convention against Corruption in our national legislation, as well as implementation of measures within the Istanbul Action Plan for Eastern Europe and Central Asia Anti-Corruption Network of the Organization for Economic Co-operation and Development.

Indeed, every reform, change that are being carried out in our country is being implemented upon selection through the prism of the benefit to our people. This is extremely important in anti-corruption processes. After all, the fight against corruption and its elimination have become a common goal of the people of Uzbekistan and government agencies.

## LEGISLATIVE

**UZBEKISTAN CONSIDERS THE CORRUPTION AS ONE OF THE SERIOUS THREATS FOR ITS DEVELOPMENT****Ruslanbek DAVLETOV \***

\* Minister of Justice of the Republic of Uzbekistan

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It is noteworthy that Uzbekistan has started a new stage of its development under the leadership of Shavkat Mirziyoyev by introducing very decisive reforms, designed to tackle corruption issues.

Over the past four years, more than **9.000** people were convicted of various corruption crimes by General Prosecutor's Office of Uzbekistan.

As a result of active investigations, **2.9 trillion soums** (272 million

US dollars) was returned to the state and citizens, which is amount **90%** of the damage caused by corruption crimes.

This fact shows justification of the President Mirziyoyev's decision to sign the **Anti-Corruption Law**, which was one of the earliest laws, signed after his inauguration in January 2017. It also complies perfectly with his **Action Strategy**.

After that, Uzbekistan has realized two periodic State Anti-Corruption programs on 2017-2018 and 2019-2020.

Uzbekistan has not stopped introducing new reforms and measures by adoption of the aforementioned law. The following reform was to improve institutional framework to combat corruption. In this regard, the **National Anti-Corruption Council** and the **Anti-Corruption Agency** of the Republic of Uzbekistan was established in 2020.

The Government is trying to eliminate corruption factors by implementing sectoral attitude. For instance, last year a new legal reform was undertaken to change **the licensing and business permitting system**.

As a result of this measure, starting from January 2021, the followings were abolished:

- ✓ 70 (26 %) out of 266 types of licensing activities

- ✓ 35 (25 %) out of 140 types of permits.

Additionally, all procedures of licensing activities were digitization on the basis of unified **Electronic licensing system**.

Uzbekistan started the practice to analyze corruption risks in the application of regulatory legal acts, as well as identify norms leading to corruption in regulatory legal acts and their drafts, took measures to eliminate them and develop recommendations to improve legal basis of conducting reforms. The first result of this order can be shown by the fact that legal expertise was conducted over 226 legal acts and 292 corruption factors were found in them.

Recently the Government has initiated a **new package of complex** reforms, involved significantly essential measures to combat corruption and provide openness of the government bodies.

**Presumption of transparency of government**

*The first* reform, conducted in June 2021, was devoted to **ensure the openness of state bodies, as well as the effective implementation of public control**.

Uzbekistan introduces the principle of **presumption of transparency** of government, which means the openness of any information about activities of the government bodies.

In the framework of this reform the government has approved the **list of socially significant information including 200 various data in 33 directions** to be regularly published as open data by all state authorities and administrations. So far 12556 datasets have already been posted in this portal.

The reforms in this area have started to bring their results and positively affect the positions of Uzbekistan in **Open Data Inventory (ODIN)**. From 2018 to 2020 Uzbekistan rose **125 positions** in this data and now ranks 44 out of 186 countries.

In accordance with the established procedure, state bodies

and organizations will annually publish detailed reports concerning their activities on their official websites and inform about the place and time of their **discussion with the participation of the civil society**.

Also, state bodies and organizations, **starting from July 1, 2021**, have started to post information about their **any public procurements, costs of business trips of officials** and for the reception of guests arriving from abroad, **beneficiaries of entities**, who are granted tax and customs benefits and preferences as well as annual **cost estimates** and their implementation.

Currently, information about **21.110** budget procurement and **13.585** corporate procurement deals was published in the **Special informational portal of government procurement**. Open publication of this information is letting us improve the public control over this process and reveal some illegal activities of public officials.

Another very essential reform, which was enshrined by this document is **Openness Index** of the activities of state bodies and organizations, which will be announced at the end of each year in order to monitor and assess the openness of the activities of state bodies and organizations.

Last, but not least, **meetings of both chambers** of the Parliament and **court hearings** with the consent of the parties will be live broadcasted on TV.

We consider that public control over the activities of the governmental bodies is one of the effective tools to combat corruption if they are transparent and open for public.

**New anticorruption doctrine**

*The second* ambitious reform, conducted in the beginning of this month (JULY?) 2021, was directed to **increase the efficiency of the anti-corruption system and early prevention of corruption manifestations**, wide public involvement in this process.

In transforming public administration into a sphere free from corruption, based on opinions of the public the government has introduced the practice to conduct **Open electronic register of people found guilty of committing corruption crimes.**

People, who are included into this register will be prohibited the followings:

- admission to civil service;
- participation of business entities established by them and (or) with their participation in public procurement and a public-private partnership agreement as a participant (executor), as well as in tenders and competitive bidding related to the privatization of state assets;
- carrying out activities in leadership positions in organizations with a state share of more than 50 percent and state educational institutions.

Also, the Government will introduce **system of compulsory declaration of income and property** of civil servants, and heads of organizations with a state share of more than 50 percent, state enterprises and institutions, their spouses and minor children.

**Uzbekistan has stepped to establish criminal responsibility for illegal enrichment,** revealed in the process of declaring income and property as an implementation of article 20 UNCAC.

We are also planning to **toughen penalties** for corruption crimes up to a long term of imprisonment, as well as **restrictions** on the application of mitigating norms when serving a criminal sentence in relation to people who have committed corruption offenses.

Additionally, the decree has adopted **State program on combating corruption for 2021-2022,** which includes **44 new measures** and it is the third periodic program for realization the Anti-Corruption Law.

Today, Uzbekistan has mobilized all its efforts to renew our society and strengthen its democratic foundations, as well as to create an environment of intolerant attitude towards corruption, to drastically reduce corruption factors in state and public administration. We realize that there is a lot

of work to be done to reform this sphere and aware of our problems. We also know how to solve these problems. In this regard, we have clearly set goals for ourselves, we have a clear idea of where we should go and we will do everything possible on the way to reach our goals.

Additionally, it is our sincere belief that the adopted laws will positively effect on the life of our people and show their results in the future, which, in turn, will improve the image of our country in international arena as a new democratic and progressive one.

It is our sincere belief that all the aforementioned reforms will also serve as realization of the national SDG-16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

# UZBEKISTAN ANTI-CORRUPTION DIGEST

## ANTI-CORRUPTION

# INDEPENDENCE OF THE JUDICIARY AND MEASURES AIMED AT PREVENTING IN THE JUDICIARY SYSTEM

**Kozim KAMILOV \***



\* Chairman of the Supreme Court of the Republic of Uzbekistan

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The scope and volume of the measures taken in our country to prevent and combat corruption deserve special attention and recognition. Indeed, acts related to bribery and extortion are extremely dangerous, as they undermine the economic foundation of any state and lead to many negative consequences, such as social evil, in particular, crime and committing of new crimes. Of course, in the prevention and the fight against the corruption, the courts should be especially active, including the formation of intolerance of corruption among the population, the issuance of legal, reasonable and fair sentences for crimes related to bribery, the dangers of corruption. A special responsible approach is required to bring it to the attention of the general public in a simple and understandable way. Therefore, every judge and judicial officer must perform their duties honestly and conscientiously, absolutely refrain from greed and corruption and take immediate action in the event of a bribe in exchange for a certain action or non-performance; it is their professional duty, their human duty.

It should be noted that the country has created not only an organizational, but also a legal basis for combating corruption in all areas. In particular, the prevention and fight against corruption among judges and judicial staff has been identified as one of the priorities of public policy. Indeed, the Presidential Decree of October 21, 2016 "On measures to further reform the judicial

system, strengthening guarantees of reliable protection of the rights and freedoms of citizens", February 21, 2017 "On measures to radically improve the structure and efficiency of the judicial system of Uzbekistan" The Decree of the President of the Republic of Uzbekistan dated April 10, 2017 "On the formation of the Supreme Council of Judges of the Republic of Uzbekistan" and the Resolution of the President of the Republic of Uzbekistan dated May 4, 2017 "On material and technical and financial support of the Supreme Council of Judges" were adopted. These legal acts serve as guiding principles in this direction.

In turn, the Decree of the President of the Republic of Uzbekistan dated July 18, 2017 "On measures to establish the Palace of Justice", the Decree of July 24, 2020 "On additional measures to further improve the judiciary and increase the efficiency of justice" plays an important role in regulation.

It is noteworthy that every piece of legislation on the functioning of the judiciary, in essence, provides a basis for the prevention and fight against corruption between judges and judicial staff. In this regard, it is worth noting the practical significance of the Decree of the President dated December 7, 2020 "On measures to ensure the true independence of judges and increase the effectiveness of prevention of corruption in the judiciary."

In accordance with this Decree, the main directions of state policy were identified to ensure the independence of judges and the prevention of corruption in the judiciary. In this regard, the creation of legal mechanisms to ensure effective protection of the professional activity of judges in the administration of justice from any external influences, selection, training, appointment of judges, as well as impartiality and transparency in the evaluation of judges, the consistent introduction of modern information technology. The special concern was taken for the formation of judiciary as well as establishing a system aimed at prevention and early detection of corruption among judges and court staff and assessment

assessment of any corruption in the judiciary as uncompromising, taking comprehensive measures to improve the professionalism, morale and responsibility of judges, attention is paid to the formation of the judiciary.

Therefore, in accordance with this Decree, from February 1, 2021, in order to prevent corruption in the judiciary, to ensure openness and transparency in the activities of the Council and the judiciary, for the first time online translation of the examination process was taken place for the selection of candidates for judicial positions.

In turn, an electronic program was developed and implemented in order to help for the assessment of the suitability of candidates for the position of judge and judges on the psychological portrait.

In addition, in order to ensure the implementation of important tasks set out in the Decree, the development and implementation of clear criteria for open and transparent evaluation of the effectiveness of judges through electronic rankings, the establishment of courts of general jurisdiction of the Republic of Karakalpakstan, regions and Tashkent. The task of organizing the delegations was also completed.

Also, in accordance with the Decree, the Judicial Inspectorate for the Immunity of Judges and the Prevention of Corruption was established on the basis of the Judicial Inspectorate for the Immunity of Judges. In addition, in order to encourage the work of judges in the administration of justice, the "Exemplary Judge" award was established, the "Judicial Honors" badge was established for retired judges who have worked effectively for many years in the administration of justice, and this year these awards were presented.

In addition, the Judges Club have been established under the Council, which has the power to provide advice on the proper application of existing substantive and procedural law and to clarify the requests of judges on the application of the code of ethics in certain situations. It is gratifying that the Club is now operating effectively.

This Decree approved an action plan to further strengthen the independence of the judiciary, ensure the inviolability of judges and prevent corruption in the system, according to which the Supreme Council of Judges was appointed the main executor.

In accordance with this plan, a program was developed and approved to ensure the inviolability of judges, to establish strict measures to prevent any interference in the administration of justice, to eliminate systemic causes and conditions of corruption offenses and to increase the effectiveness of anti-corruption measures in 2021.

Online training is being organized to improve the professional skills, morale and responsibility of judges and judicial staff, to form an intolerant attitude to all forms of corruption in the system and to take measures to analyze and eliminate any factors that contribute to corruption in the system.

It should be noted that extensive cooperation has been established with law enforcement agencies and civil society institutions in identifying and eliminating corruption and an uncompromising fight against these crimes are underway.

In particular, the courts consider the imposition of legal, reasonable and just punishments on those who have committed corruption-related crimes as the most urgent task. If in the past 2020, 1,132 people were convicted of bribery, the figure was 1,252 in the first 9 months in 2021.

Although this data shows an increase in the number of corruption-related crimes in 2021 compared to 2020, another aspect of the issue needs to be analyzed. When quarantine announced in 2020, the real possibility of bribery and kickbacks has significantly decreased. At the same time, as a result of the prudent anti-corruption policy of the head of our state, the law enforcement agencies have become more active in this area. More precisely, in the past there was a delay in the timely detection of corruption-related crimes, but now we can see the involvement of not only government agencies, but also civil society institutions in this process.

In order to detect corruption at an early stage, to further strengthen the participation of our compatriots in this process and to facilitate citizens, it is possible to send text, voice and video appeals via the Telegram-bot of the Supreme Court of the Republic of Uzbekistan. This facilitation was made possible by a joint project of the Supreme Court of the Republic of Uzbekistan, the United States Agency for International Development (USAID) and the United Nations Development Program in Uzbekistan "Partnership for the Rule of Law in Uzbekistan." However, requests sent through this bot can be in the form of files of various formats.

Telegram-bot is designed to create additional opportunities and conveniences for citizens and businesses to apply to the courts, timely review of cases, avoidance of various red tape, elimination of bureaucratic barriers and restrictions, as well as the fight against corruption in the judiciary.

Each appeal is taken into account and the responsible staff has the opportunity to get acquainted with the statistics of appeals, to control appeals, to see unanswered appeals in it. The bot also has a function to alert the responsible staff about unanswered appeals.

Today, a number of additional opportunities and services has been created for Telegram-bot users to monitor appeals, cassation and other complaints, add the function of calculating court costs, get acquainted with published court decisions and ensure openness and transparency of the judicial system. This bot can be found by entering the name [@suduzbot](https://t.me/suduzbot) in the search field of Telegram Messenger or by going directly to it via the link <http://t.me/suduzbot>.

Speaking about the changes and innovations in the judicial system, it is important to note that the role of the Presidential Decree of January 13, 2021 "On measures to radically improve the system of financing the judiciary" is unique. Indeed, this Decree will serve as an important basis for radically improving the system of financing the activities of the judiciary and strengthening the social protection of judges. In accordance with this Decree, starting from

2021, the salaries and bonuses of the Constitutional Court of the Republic of Uzbekistan, the Supreme Council of Judges, the Supreme Court, judges of lower courts, the Higher School of Judges and their staff, the Department of Judicial Activities under the Supreme Court and its territorial divisions. Funding from the state budget has been set. This is, of course, one of the most necessary means of preventing corruption among judges and judicial staff.

In addition, in order to increase the effectiveness of the anti-corruption system, create a favorable business environment, enhance the country's positive image in the international arena, as well as in accordance with the tasks set out in the Action Strategy for 2017-2021. The State Program on combating corruption for 2019-2020 was approved by the Decree "On measures to further improve the system of combating corruption."

By the Decree of the President of the Republic of Uzbekistan dated June 29, 2020 "On additional measures to improve the system of combating corruption in the Republic of Uzbekistan", the Republican Interagency Commission on combating corruption was renamed the National Council for Combating corruption and included the Chairman of the Supreme Court.

In this regard, it is necessary to dwell on the event dedicated to the implementation of the tasks set out in the minutes of the meeting of the Council No. 5. The inaugural meeting of the Territorial Council for Combating corruption, which took place on September 25 in the Bukhara regional administration, was dedicated to the topical issue - corruption, which is a serious obstacle to the development of society and its prevention. The meeting was attended by members of the regional council, regional administration, deputies, law enforcement agencies, representatives of the economy and agro-industrial complex, education, health, non-governmental organizations and media.

Speakers at the founding meeting spoke in detail about the tasks facing the Territorial Council, as well as the past years of corruption and bribery in our country, especially in the region, the conditions that lead to crime and delinquency.

The meeting discussed the important tasks assigned to each member of the Regional Anti-Corruption Council.

In particular, the study of the legality, transparency and fairness of tenders and auctions in public procurement, construction, road repair and other areas, the formation of transparency and healthy competition in the selection and placement of young staff, recruitment to government agencies, enterprises and institutions. Attention was paid to aspects. It was stressed that the media should also become a leading force in this process, to be intolerant of possible bribery and corruption in this or that area and to form public opinion on this issue. At the end of the founding meeting, the number of recommendations was developed and the relevant responsibilities were assigned to the responsible people.

The State Program on Combating corruption for 2021-2022 was approved by the Decree of the President of the Republic of Uzbekistan dated July 6, 2021 "On measures to create an environment of intolerance to corruption, sharply reduce corruption in public administration and expand public participation."

With this Decree, in order to increase the effectiveness of the system of combating corruption and early prevention of corruption, to involve the public in this process and to create an environment of intolerance to corruption, intolerance and ruthlessness in all forms of corruption and were identified as a top priority for staff.

The Resolution of the President of the Republic of Uzbekistan dated July 6, 2021 "On additional measures for the effective organization of anti-corruption activities" established a number of procedures for the effective organization of the implementation of anti-corruption measures.

In general, it should be noted that every piece of legislation on the prevention and fight against corruption is an important document in finding a legal solution to a particular issue.

In conclusion, it is important to note that corruption is inadmissible in the judiciary, which is a stronghold of justice. The vices that hinder the development of the state and society, more precisely, are all equally responsible in the fight against crime, the prevention and fight against corruption. Therefore, a large-scale work is being done to increase the effectiveness of the fight against this socially dangerous act.

Preventing and combating corruption, which poses the greatest threat to the development of society, must always be approached as an urgent task. Judges and system staff in particular need to be uncompromising. One of the main goals of the ongoing reforms in the judiciary is to radically improve the system of eliminating corruption in the field. The work to ensure the independence of judges and increase their prestige imposes a great responsibility on each of us in the fight against this scourge. In short, a loyal, patriotic judge will never commit such a heinous act as corruption.

# UZBEKISTAN ANTI-CORRUPTION DIGEST

## ANTI-CORRUPTION

### OPEN PATH TO THE PUBLIC SERVICE

Otabek KHASANOV \*



\* First Deputy Director Agency for the Development of Public Service under the President of the Republic of Uzbekistan, PhD in Political Science

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Within the framework of large-scale reforms aimed at increasing the efficiency of the civil service, measures are being taken to conceptually renew public administration in our country. The pace of reforms, as well as the goals set for the development of regions and sectors require a radical revision of the organization of work in each direction of the civil service. In particular, it is no longer possible to build a new Uzbekistan with the old management methods. In other words, today's requirements set the task of introducing a modern approach in all areas.

Considerations in this direction were focused on in the speech of Sh.M. Mirziyoyev at the joint session of both chambers of the Oliy Majlis, dedicated to the solemn ceremony of the inauguration of the President of the Republic of Uzbekistan on November 6, 2021. In the speech, it was noted that within the framework of the "Strategy for the development of New Uzbekistan" activities will be organized on the basis of a new principle: "man – society – state". At the current stage of our development, 7 priority directions have been identified. Although the directions are different, the main idea remains the same: the basic principle "It is not the people who serve the state bodies, but the state bodies must serve the people" was supplemented by the statement that: "Leaders must serve not only the state but above all the people and their families, ensuring their legitimate interests".

When does the state effectively serve the people? When positions in the civil service are filled with qualified, competitive personnel... This, in turn, requires staffing the system with dedicated, loyal, professional personnel.

In this regard, the head of state in his speech outlined the following direction: "At the same time, new, modern approaches to the process of selection and placement of personnel will be applied. Personnel will be recruited to the civil service on a competitive basis, criteria for continuous professional development, performance evaluation and promotion will be determined for them". That is, henceforth, personnel will be recruited to the civil service solely on the basis of an open competition.

For the purpose of high-quality execution of such important tasks facing us, systematic work is underway, which contributes to the sufficient provision of state bodies and organizations with qualified specialists, the compliance of personnel qualifications with the assigned tasks and modern requirements, and the improvement of the quality of decision-making.

In particular, effective mechanisms are being introduced in the sphere to ensure comprehensive legal regulation of the civil service, including the process of selecting candidates through an open independent selection, as well as criteria for assessing the effectiveness and competence of civil servants and requirements for improving their qualifications.

The main goal of the reforms in Uzbekistan is remarkable in that it is aimed at ensuring the priority of human interests.

In particular, the Constitution of the Republic of Uzbekistan is the main legal foundation in this respect. The Article 37 of our Constitution provides that **"Everyone has the right to work, including the right to choose their occupation. Every citizen is entitled to fair conditions of labour and protection against unemployment in accordance with the procedure prescribed by law"**. This might serve as the evidence that our Constitution is **"people's law"**. In order to fully reflect this rule in practice, a number of new mechanisms are being introduced.

Due to the lack of a single competent authority for civil service in Uzbekistan, it was not possible to pursue a unified personnel policy in the public sector, to ensure effective personnel management and human resource development, as well as to form a pool of qualified personnel based on healthy competition.

**In conditions of growth and renewal in all areas, the growing demand for leadership personnel requires a more serious approach to the area.** It is noteworthy that in recent years, to address some of these problems, important steps have been taken to select young personnel and appoint them to leadership positions.

**Since this is not the definitive solution of the problem,** in order to streamline and radically improve the civil service in the Republic of Uzbekistan, international experience was studied and in accordance with the Presidential Decree "On measures to radically improve the personnel policy and the system of public service in the Republic of Uzbekistan" and the Presidential Resolution "On measures to organize the activities of the Agency for the Development of Public Service under the President of the Republic of Uzbekistan" dated October 3, 2019, the Agency for the Development of Public Service under the President of the Republic of Uzbekistan was founded.

According to the Decree, it was determined that from January 1, 2020 in some of the government bodies, organizations and regions from January 1, 2021 in all government bodies and organizations of the country, recruitment to the civil service will be carried out on the basis of an open independent competition and there will be applied the principle of meritocracy which is aimed at a fair assessment of candidates for admission to the civil service and promotion, at the selection of the most worthy among them.

One of the main tasks in the implementation of a modern management system in the field of civil service inspired by the model of developed countries is the selection of personnel on the basis of an open,

independent competition. In this case, the most talented, highly competent employees fill vacancies on the basis of the principle of meritocracy.

In order to reduce the human factor in the recruitment to the civil service and create equal opportunities for all citizens, the Agency has studied the best practices of the UK, USA, South Korea, the United Arab Emirates and other developed countries, and has developed an **Unified open portal of vacant positions for civil servants – [vacancy.argos.uz](http://vacancy.argos.uz)**.

The creation of this platform paved the way for meritocracy. The principle of meritocracy, which literally means “the power of the worthy”, has already become a tradition in developed countries. According to this principle, the most capable, diligent and talented candidates, regardless of their financial status and social background, get positions in the public service. Because it is here that the results, abilities and intelligence achieved while climbing the career ladder, are of decisive importance.

Most importantly, in the new system, measures to limit human intervention are a priority. In other words, digital technologies have been introduced at all stages of the selection process: the application process is carried out through the portal, the testing process is carried out on the [test.argos.uz](http://test.argos.uz) platform, and the interview process is broadcast online.

**This approach allows the most suitable and qualified personnel to be attracted to the civil service through open and fair selection processes without bureaucratic barriers.**

This portal is the only electronic system for the organization of open independent competitions to fill vacant positions in government bodies and organizations, which functions on the principle of a “single window” on the Internet.

Information about vacant positions in government bodies on the portal is automatically posted on the site using the interdepartmental hardware and software complex “Unified national labour system” and candidates’ documents are accepted only in electronic form.

**This practice acts as an electronic platform free of paperwork and redundant correspondence. A candidate who wants to get a job does not have to run around organizations with his/her documents. Also, it is not required to obtain unnecessary certificates and references from various departments. Each candidate has the opportunity to test their knowledge in an open area and go through the stages of testing, psychological assessment and interviews.**

An open, independent competition for vacant positions consists of the following several stages:

- studying the compliance of each candidate with the qualification requirements of the vacant position;
- checking the level of knowledge of the candidate through testing;
- an interview in the form of an assessment.

An important aspect of this system is that information about the stages of the competition is sent online to the personal account of each candidate on the portal, that is, based on the results of each stage, candidates are given a reasoned answer.

**As of November 6, of 2021 year, competitions in the Portal were announced for filling 16 961 vacant positions in 60 ministries and agencies, as well as in all khokimiyats of the Republic, 258 241 candidates submitted documents to participate in the competitions for these vacant positions (on average, 15-18 candidates for one position).**

The analysis of the conducted competitions by ministries and departments showed that the largest number of competitions were organized within the system of the State Tax Committee (2 786), the Ministry of Public Education (2 342) and the Ministry of Finance (2 083); in total, this figure within the system of ministries and departments is 15 998, within the system of khokimiyats – 963.

The analysis of the competitions by regions showed that the largest number of open competitions were organized in Samarkand (1 516), Navoi (1 460), Tashkent (1 410) and Andijan (1 410) regions.

Out of 12 796 vacant positions for which the competition ended, 4 416 (35%) were filled with qualified personnel, for 8 380 (65%) vacant positions competitions were re-announced.

On average, competitions are announced per day for 140 vacant positions, documents are received from 1 350 candidates, out of which 30-35 qualified personnel fill vacant positions in the civil service.

**It should be noted that 446 (10%) out of the 4 416 competition winners hired for the civil service are women, 1425 (32%) are cadres under 30 years old and 677 (15%) are cadres hired for the first time in the civil service.** Of course, in Uzbekistan, the processes of recruiting for the civil service based on an open competition are gradually developing and reforms in this area are continuing. In the future, it is planned to introduce this system in all state organizations.

This platform, in turn, allows to improve the quality of civil service cadres in the country, timely meet the needs of state bodies and organizations in qualified personnel and create equal conditions for all citizens.

## MEDIA TRIBUNE

**GETTING INFORMATION AND ENSURING FREEDOM OF SPEECH ARE ESSENTIAL TO THE DEVELOPMENT OF THE COUNTRY****Asadjon KHOJAEV \***

\* Director of the Agency of Information and Mass Communications under the Administration of the President of the Republic of Uzbekistan

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Today in Uzbekistan, the criteria of openness and transparency in all spheres has become a unique tradition. The purpose of this phenomenon is also clear - to prevent and eliminate various corruption crimes by ensuring openness and transparency. Of course, it isn't easy to completely eliminate such cases, entrenched over many years, in a single day, a year, or a short period of time. But the process is firmly in place in the country. First of all, its legal framework, widely implemented in practice in all spheres, has been created and today it works.

With the help of comparative analysis, it is easier to find an answer to the questions about which legislative acts were adopted, what effect the planned activities had, what results were achieved, in general, whether changes have occurred.

It would be appropriate to analyze the previous results and draw conclusions using the example of reforms implemented in recent years to ensure freedom of speech, openness and transparency in the activities of the media and government agencies, which are also the main source of public control, strengthening the prestige and status of the profession of journalism.

Above all, the policy of freedom of speech and the press and openness has been shaped by the political will of the head of state, Shavkat Mirziyoyev. Shavkat Mirziyoyev, who was elected President of the Republic of Uzbekistan in 2016, identified as a priority the fundamental reform and development of the information sphere as an essential condition for the country's transition to a new level of development.

Over the past five years, our Republic has adopted more than 20 laws and regulations aimed at strengthening the legal framework and ensuring access to information for the population, freedom of speech and practical media activities, as well as the establishment of an open and transparent dialogue between the state and society.

During this period, the establishment of an independent University of Journalism and Mass Communication, providing professional personnel and the Agency of Information and Mass Communication as the competent body for developing and implementing an unified state information policy were necessary for the comprehensive development of the sphere. The activities of press services were established to improve the transparency of state and local government bodies.

The number of sources of information has also dramatically increased over the past period. For example, not so long ago, 6-7 years ago, access to data from ministries and agencies were a big problem for the media and journalists, but today press services have become one of the primary resources of information. While the number of sources of information of state bodies and organizations in 2019 was 559, as of September 2021, their number was about 3,000.

Since 2020, the Agency for Information and Mass Communications has created a system of developing quarterly media plans together with ministries, departments, and local government bodies.

These measures are yielding results. On the basis of these media plans, briefings, press conferences and media tours are regularly held at the Agency of Information and Mass Communications, the National Press Center of Uzbekistan, the Republic of Karakalpakstan and regions with the participation of heads and press secretaries of government agencies and organizations. In 9 months of 2021 alone, 937 press events were held.

What does it give? *First*, it ensures the openness of ministries, agencies and local state authorities. *Secondly*, thanks to the participation of the media and journalists, their relations with the public are established. *Third*,

a mechanism is being created in the center and locally to respond to the problems of the population and find solutions. *Fourth and most importantly*, the ministries, departments, and local government bodies become closer to the people.

This contributes to openness, publicity, transparency and the establishment of public control through the media and social networks and the formation of an anti-corruption environment.

Proceeding from the tasks mentioned above, the Agency of Information and Mass Communications launched the Call Center on the short number 1213. The Call-center allows individuals and legal entities to contact the Agency on issues of licensing certain types of media, private publications, printing services; counterfeit stationery or books and printed publications; activities of the media, press services, electronic and printed publications, television and radio companies; ensuring freedom of access to information, actions of journalists and bloggers and many other issues related to this sphere.

At the same time, a "Dialogue platform" was created in the regional offices of the Agency for the rapid identification of the facts of obstruction of the activities of the media, journalists and bloggers, discussions with the participation of relevant agencies and organizations, finding solutions to problems. During the past period of 2021, about 70 appeals related to the professional activities of the media were studied and positively resolved through the Call Center and the Dialogue Platform.

In this connection, I would like to pay special attention to another issue. Based on the experience of international organizations and developed countries, the situation dictates the need to take appropriate measures to establish settling disputes in the information sphere, any conflict situations arising between the parties, within the framework of the current legislation through judicial bodies. The Agency constantly expresses its official position on this matter.

As a result of the reforms carried out in the country to support and develop the media, the information space in Uzbekistan is rapidly expanding. In particular, over the last 5 years, the number of registered media outlets has increased by 29% (448) and reached 1,962, of which 677 are Internet media widely used by the population. More than 1,300 citizens as bloggers in social networks have also become active participants in the information space today.

Of course, the development of the information space depends mainly on how effectively media workers, information services, journalists and bloggers work in compliance with current legislation. With this in mind, the Agency also pays special attention to improving its qualifications and legal knowledge.

In particular, in January-February of 2021 year, in cooperation with the Supreme Council of Judges, two-week training sessions were held both offline and online for media representatives and bloggers specializing in legal issues. In March-April, together with the Centre for the Further Training of Lawyers in the Republic of Karakalpakstan, the regions and the city of Tashkent, advanced training courses were held on the rights and obligations of journalists in obtaining, processing and disseminating information. Approximately 600 journalists, bloggers and press secretaries upgraded their qualifications at these courses.

In addition, in March 2021, in cooperation with the Academy of Public Administration, a separate training seminar was held with the participation of 220 employees of information services of the Council of Ministers of the Republic of Karakalpakstan, regional and Tashkent city hokimiyats, and district and city hokimiyats. There are many more such examples.

We have identified additional measures for further consistent and large-scale continuation of work in this direction. The main goal is to improve the professional and legal literacy of artists, journalists and bloggers working in the information space. After all, it is well-known that a competent journalist and blogger with perfect knowledge of the law and regulations in this area will not make mistakes or commit violations.

I want to pay your attention to one of the aspects mentioned by President Shavkat Mirziyoyev in his book "The Strategy of New Uzbekistan": "Freedom of information and the press, freedom of speech of citizens, openness and transparency of the activities of state bodies have become one of the quality indicators of the new Uzbekistan. We consider this way one of the most important directions of state policy, and we will resolutely continue it".

Based on the above, I believe that we should further intensify our work to develop the activities of the media further, improve the professional qualifications of journalists and bloggers, strengthen the dialogue between the state and society and establish public control.

## CIVIL SOCIETY INSTITUTIONS

## PARTICIPATION OF CIVIL SOCIETY INSTITUTIONS IN THE FIGHT AGAINST CORRUPTION

Axtam TURSUNOV \*



\* Chairman of the Public Council under the Anti-Corruption Agency of the Republic of Uzbekistan, Doctor of Law, Professor

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The fight against corruption is a comprehensive process, which must involve not only government agencies, but also civil society institutions.

If we look at the experience of countries that have achieved high results in the fight against corruption, we can see that in these countries, civil society institutions are one of the key players in combatting corruption. In general, the effectiveness of the fight against corruption cannot be achieved without the participation of civil society institutions.

At this point, the question arises, how can civil society institutions play an important role in combating corruption, while they do not have those special powers and administrative resources which are available at the disposal of government agencies?

The role of civil society institutions in combating corruption is primarily reflected in the process of identification of corruption risks. The point is that corruption risks are not considered offenses and the state does not define responsibility for allowing them. However, the risks of corruption are always negatively perceived by society, including civil society institutions and in their turn they respectively respond to them.

Analyses show that the general public also plays an important role in exposing corruption. In this regard, there are many examples where the general public exposed corrupted cases not detected by the public bodies while there were bodies that have special powers to expose corruption. The reason for this is that the public cannot be deceived and misled. No matter how secretive it is, the public will become aware of the corruption anyway.

**Transparency and accountability are the most important tools in the fight against corruption.** Because corruption always happens in secret, because it is not only an illegal act, but also strongly condemned by society as a negative situation. That is why **the “biggest enemy” of corruption is transparency.** By ensuring openness and transparency in the activities of government agencies and organizations, as well as the accountability of officials to the public, necessary conditions are created for effective and efficient public control in public administration.

The Laws of the Republic of Uzbekistan “On openness of the activities of public authorities and administration bodies” (May 5, 2014) and “On public oversight” (April 12, 2018) set out the openness of activities of public authorities and the mechanisms of public control over them.

**Civil society institutions also play an important role in forming an intolerant attitude towards any form of corruption.** If corruption is accepted by society as a normal social norm, then the fight against corruption will be ineffective. The public's strong response to any form of corruption is important in the fight against this trouble .

In short, civil society institutions represent a comprehensive mechanism for shaping, developing and realizing society's opportunities and potential to fight against corruption.

The attitude of the wide general public towards corruption causes public pressure. **Although public pressure is not considered a legal lever, it allows for the implementation of civic initiatives in the fight against corruption by effectively influencing government agencies and officials.**

Decree of the President of the Republic of Uzbekistan dated July 4, 2018 No PP-3837 “On measures to organize the activities of public councils under government agencies” established the legal basis for the activities of public councils, a permanent advisory body under the state body, which conducts its work on a public basis.

At the same time, in order to ensure the effectiveness of public councils, a methodology for rating evaluation of the

effectiveness of public councils under public authorities and administration bodies has been developed and implemented .

Article 13 of **the United Nations Convention against corruption** (New York, October 31, 2003) sets out the legal framework for public participation in the fight against corruption. According to it, in order to prevent and combat corruption, each participating state shall take appropriate measures to promote the active participation of groups and individuals outside the public sector, such as civil society, non-government organizations and community-based organizations in order to give society a deeper understanding of the existence of corruption, its causes, dangerous features and threats.

Over the past five years, Uzbekistan has also made significant reforms in the fight against corruption. First of all, the legal and institutional framework for combating corruption has been created and developed. International standards for combating corruption are also being introduced. In addition, special attention was paid to ensuring the participation of the general public in the fight against corruption. In particular, Article 14 of the Law on Combating Corruption (January 3, 2017) created a legal framework for the participation of citizens' self-government bodies, non-governmental non-profit organizations and citizens in the fight against corruption.

Decree of the President of the Republic of Uzbekistan No. PF-6257 of July 6, 2021 “On measures to create an environment of intolerance to corruption, drastically reduce corruption factors in public administration and society governance and expand public participation in the fight against corruption” identified important issues related to increasing the effectiveness of the system of combating corruption and early prevention of corruption, the broad involvement of the public in this process and the formation of an environment of intolerance to corruption.

For the effective participation of civil society institutions in the fight against corruption, the following is required:

*first*, the society itself must understand the need for active public participation in the fight against corruption;

*second*, the participation of civil society institutions in the fight against corruption should be encouraged by the state;

*third*, it is necessary to enhance the role of the mass media in the fight against corruption and to support their activities at all times. Independent specific media outlets, at least programs that cover anti-corruption issues, are particularly important in this regard;

*fourth*, it is important to establish and expand the activities of special non-governmental non-profit organizations fighting corruption, to guarantee their independence and inviolability;

*fifth*, it is necessary to develop cooperation between the state and civil society institutions in the fight against corruption.

Thus, the role of civil society institutions in the fight against corruption has an irreplaceable potential, nurturing the immunity of society in the fight against corruption and uniting the capabilities of the general public.

## CIVIL SOCIETY INSTITUTIONS

## THE ROLE OF THE PUBLIC IN THE FIGHT AGAINST CORRUPTION

Bobur BEKMURODOV \*



\* Chairman of the national movement "Yuksalish"

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Today, the prevention and fight against corruption in our country has become a priority of state policy.

The activities of the National Anti-Corruption Council and the Anti-Corruption Agency have been established.

Important laws "On combating corruption" and "Public procurement", which are completely new for Uzbekistan, have been adopted.

**Compliance control system** is being introduced in every ministry and department, in economic administration bodies with respect to the fight against corruption.

Special portals such as [openbudget.uz](https://openbudget.uz); [d.xarid.uz](https://d.xarid.uz); [e-xarid.uz](https://e-xarid.uz); [cooperation.uz](https://cooperation.uz), which serve to ensure budget openness have been launched.

A system of recruitment to the civil service on the basis of open competition has been created.

In the **open data ranking** published by the international non-profit organization Open Data Inventory in December 2020, Uzbekistan ranked **44th** out of 187 countries in the world with 63 points, and **1st** in Central Asia.

In short, serious steps have been taken to prevent and combat corruption. However, there is still a lot of work to be done. Because cases of corruption still exist at all levels. So, is the fight against corruption only the job of government agencies or the duty of ordinary citizens as well? Active citizens and non-governmental non-profit organizations are involved as well in solving problems in other areas, especially social issues. This means that NGOs must be active in the fight against corruption too. However, we can say that

this process is still in its infancy. According to international and foreign experience, citizens are very active in exercising civil control over government agencies in developed countries. Public authorities provide full support to independent NGOs in exercising public control.

In accordance with Article 14 of the Law of the Republic of Uzbekistan "On combating corruption", "Citizens' self-government bodies, non-governmental non-profit organizations and citizens may:

- participate in the development and implementation of state programs and other programs in the field of combating corruption;
- participate in raising the legal awareness and legal culture of the population, the formation of an intolerant attitude to corruption in society;
- exercise public control over the implementation of anti-corruption legislation;
- make proposals to improve anti-corruption legislation;
- cooperate with government agencies and other organizations in the fight against corruption".

In addition, "non-governmental non-profit organizations participate in the activities of the Interdepartmental Commission and territorial interdepartmental commissions, as well as in the activities of working groups, commissions and public advisory bodies under government agencies in order to implement the measures provided for in this article".

Today, civil society institutions, in particular, non-governmental organizations become an important factor in protecting democratic values, human rights and freedoms and legitimate interests, create conditions for citizens to realize their potential, increase their social, socio-economic activity and legal culture in Uzbekistan, help maintain balance of interests in society.

For example, the Analytical Center for Openness and Transparency in Uzbekistan, an independent NGO that studies corruption and transparency, was recently registered. The main goal of the Center is to promote the formation of an intolerant attitude to corruption in society and to improve the

mechanisms of openness, transparency and accountability in public administration. True, this NGO has just started its activities, but it is a positive trend. There is a need to increase the number of NGOs in this area and their support.

The results of a global expert survey conducted by the national movement "Yuksalish", which assessed the reforms being carried out in Uzbekistan and involved 100 foreign and local experts, also show that the biggest obstacle to Uzbekistan's development is corruption. Almost all the experts surveyed stressed the need to further strengthen the anti-corruption system at all levels.

The "Yuksalish" national movement has also implemented projects in several areas to support the anti-corruption system. In particular, first of all, this is the direction of in-depth study of corruption risks across sectors.

In this regard, the National Movement "Yuksalish", the Anti-Corruption Agency and the international non-governmental organization "Regional Dialogue" have launched jointly the activity of "**Anti-Corruption laboratories**".

The purpose of the project is to conduct an in-depth analysis of corruption high-risk areas with the involvement of the general public, to develop recommendations for changes in legislation and procedures to eliminate corruption in the field. For this, a specific topic of the chosen field is identified as a laboratory object and all the links of the corruption chain are studied and the root causes and essence of corruption are determined.

Initially, the first topic of the "Anti-Corruption laboratories" was the process of admission to the first grade of school education. In the framework of the project, surveys were conducted in 114 secondary schools in 14 regions of the Republic of Uzbekistan with the participation of school principals, first grade teachers and parents of pupils. The scope of the initial results is very wide. The data collected are currently being summarized and analyzed. Based on the results of the analysis, a comprehensive report and recommendations on corruption risks will be developed and submitted to the Anti-Corruption Agency, the National Council and the Parliament. We believe that

significant results can be achieved by expanding the coverage of such laboratories with the participation of civil society and experts and covering more areas.

The second direction is to increase the organizational capacity of civil society institutions in the fight against corruption.

The purpose of the project is to increase the capacity of local communities and civil society institutions in identifying and eliminating corruption risks in the activities of public authorities and administration bodies.

To date, the movement has conducted special trainings and provided grants to develop the skills of public monitoring of about 30 public councils under ministries and departments, local authorities. The best practices in this area are being brought to the local level. As a result, we see that members of public councils – active citizens and representatives of the non-governmental sector – are effectively monitoring the activities of government agencies and local authorities, holding public hearings, submitting reports or monitoring reports to local councils and law enforcement agencies, and the number of such cases are increasing. Today, we believe that the activities of public councils in Khorezm, Kashkadarya and Fergana regions can be studied as an example.

Another important project of the national movement "Yuksalish" in this direction is the Media Schools, aimed at building the capacity of local journalists and bloggers. These Media Schools are conducting trainings aimed at increasing the inquiry capacity of journalists and bloggers. So far, more than 150 local journalists and bloggers have attended MediaSchools.

In addition, the Schools for Non-governmental Non-profit Organizations, organized by the movement, hold seminars and trainings on public monitoring of the activities of government agencies for representatives of the non-governmental sector and they are providing them with the necessary skills, legal and methodological advice. So far, more than 100 non-governmental organizations have participated in these NGO schools.

Elimination of this trouble requires the coordination of government and non-governmental organizations, as well as public efforts in general. That is, the work in this area will be effective only if the fight against corruption becomes a nationwide movement.

In our opinion, in order to further involve civil society institutions in the fight against corruption, it is necessary to pay attention to the following:

- creation of civil society networks to combat corruption, providing them with material, financial, political and legal and other necessary resources by the state;

- subsidies and grants from international donors and the state must have a component of public oversight, providing for participation of civil society institutions;

- we consider it expedient to support the activities of non-governmental non-profit organizations, the main activity of which is the systematic fight against corruption and to increase the number of such NGOs;

- it would be expedient to conduct sectoral researches in the field of anti-corruption, to make decisions based on in-depth analysis. In this regard, the activities of "Anti-Corruption Laboratories" can serve as a positive basis;

- more attention should be paid to building the capacity and authorities of civil society institutions and citizens to fight corruption at the local level;

- strengthening cooperation between government and non-government institutions through the establishment of grants and social orders for local NGOs by local authorities (according to international experience, it is an important factor in preventing corruption).

As noted by the President of the Republic of Uzbekistan Shavkat Mirziyoyev in his speech at the joint session of the branches of the Oliy Majlis, dedicated to the inauguration ceremony, "But we all understand well that the trouble of corruption cannot be combated only by state and legal measures. For this, it is crucial in our society, first of all, in the minds of young people to form an uncompromising attitude to this trouble, to unite all healthy forces.

## 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.

# UZBEKISTAN ANTI-CORRUPTION DIGEST

## DIGEST

### THE LAW "ON INTRODUCTION OF AMENDMENTS AND ADDITIONS TO SOME LEGISLATIVE ACTS OF THE REPUBLIC OF UZBEKISTAN" WAS ADOPTED.



Regulated by the following:

- people reporting information on corruption offenses and their close relatives are under state protection;
- information on people reporting corruption offenses is a service secret;
- infringement of the rights and legitimate interests of people reporting corruption offenses and

their close relatives on the grounds of reporting corruption offenses, as well as violation by the employer of their right to work is unacceptable;

– the procedure for developing a National report on combating corruption has been established;

– the determination of the Anti-Corruption Agency in the field of crime prevention; .

– the employees of the Agency, within their competence, will be granted the right to unimpeded visits to the penal institution, to familiarize themselves with the necessary documents in order to study and analyze the causes and conditions of corruption offenses.

Press-service of the Anti-corruption Agency  
of the Republic of Uzbekistan

### A PRESIDENTIAL DECREE "ON MEASURES TO FURTHER IMPROVE THE CONDUCT OF ANTI-CORRUPTION EXPERTISE OF NORMATIVE LEGAL ACTS AND THEIR DRAFTS" WAS ADOPTED.

The Decree defined the followings:

– A “roadmap” was approved to eliminate corruption factors identified in the course of an anti-corruption assessment of normative legal acts in the fields of construction, healthcare, higher education and public procurement;

– the current normative and legal acts will be gradually subjected to a full anti-corruption expertise;



– the public, scientific organizations and independent experts will be widely involved in the anti-corruption expertise of normative legal acts and their drafts.

### Press-service of the Anti-corruption Agency of the Republic of Uzbekistan

## AN ORDER OF THE AGENCY DIRECTOR "ON APPROVAL OF THE MODEL PROVISIONS ON THE ACTIVITY OF INTERNAL ANTI-CORRUPTION CONTROL STRUCTURES" WAS ADOPTED.



The Charter regulates that the internal control structures in their activities directly report to the first head of the organization (supervisory board).

It was also decided that the heads of the internal control structure will be hired by the relevant organization on the basis of an open competition conducted jointly with the Agency.

The main tasks of the control structures:

– improvement of the organization's anti-

corruption activities;

– prevention and fight against corruption in the organization;

– ensuring and monitoring the effective functioning of the anti-corruption system in the organization;

– cooperation with other government agencies and organizations involved in and participating in the fight against corruption.

### Press-service of the Anti-corruption Agency of the Republic of Uzbekistan

## REGULATION OF THE ACTIVITIES OF REGIONAL ANTI-CORRUPTION COUNCILS OF THE REPUBLIC OF KARAKALPAKSTAN, REGIONS AND THE CITY OF TASHKENT

From September 22 to October 15 2021 year, the constituent meetings of the Regional Councils on Combating Corruption were organized in 14 regions.

In addition, the founding meetings were attended by members of the media, members of the National Council and the leadership of the Agency.

At the meetings, the leadership of the Agency informed about the priorities of anti-corruption policy in the country, the analysis of corruption in the regions and the main tasks of the members of the Regional Council.



Members of the National Council reported on the cooperation of Regional Councils with public procurement, budget spending, implementation of the project "Sector without corruption", the media, representatives of civil society institutions.

**Press-service of the Anti-corruption Agency  
of the Republic of Uzbekistan**

#### **THE BUSINESS FORUM "INTEGRITY IN THE BUSINESS COMMUNITY OF UZBEKISTAN" WAS HELD.**

On November 30, 2021, the business forum "Integrity in the business community of Uzbekistan" was held with the participation of more than 100 representatives of entrepreneurship and business, ministries and agencies, the media, public and international organizations, as well as foreign experts.

In accordance with the requirements of the UN Convention against Corruption, the "Anti-Corruption business charter of Uzbekistan" was developed.

**Press-service of the Anti-corruption Agency  
of the Republic of Uzbekistan**