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O'zbekiston Respublikasi Korrupsiyaga qarshi kurashish Agentligining



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Registered by the Agency of Information and Mass Communications under the Administration of the President of the Republic of Uzbekistan on September 15, 2021; Certificate No. 1210

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INTRODUCTORY ARTICLE

ANTI-CORRUPTION EXPERTISE OF LEGISLATIVE ACTS: YESTERDAY AND TODAY**Bobur SAIDBEKOV***

* Head of the Department of Anti-Corruption Expertise of Legal Acts and their Drafts of the Ministry of Justice

***Abstract:** This article presents the concept of anti-corruption expertise of legal documents, its specific features, stages of development, and reflects on the achievements in this field.*

Sent: May 31, 2022

Accepted: June 11, 2022

Published: July 25, 2022

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HOW TO CITE:

Saidbekov B. 2022. Anti-corruption expertise of legislative acts: yesterday and today. Uzbekistan Anti-Corruption Digest. 2, 2 (July 2022), 3–7.

DOI: <https://doi.org/10.47689/uacd-2181-3345--vol2-iss2-pp3-5>

One of the priorities of the reforms carried out in our country is the introduction of a system based on advanced international standards for preventing corruption and uncompromising fight against it.

For the last five years, **more than 80** legislative acts aimed at elimination of corruption factors in all sectors of the economy and social sphere have been adopted.

As a result, Uzbekistan improved its position in the index of **Transparency International** by **17 points** and in the **indicators of Control of Corruption at the Worldwide Governance Indicators** rating by **10 points**. Necessary conditions for effective implementation of public control in public administration were created; the accountability of officials to the population was established.

At the same time, it is impossible to eliminate the causes of corruption with a single tool or method. This requires comprehensive tools covering all sectors of public administration. **Anti-corruption expertise of legislative documents** is undoubtedly one of the **effective preventive measures** to prevent corruption.

In particular, article 19 of the Law of the Republic of Uzbekistan "On Combating Corruption", the organization of anti-corruption expertise of normative legal acts and their drafts is recognized as one of the measures aimed at preventing corruption in public authorities and administration.

According to the definition of the current legislation, anti-corruption expertise is a complex of measures aimed at identifying corruption factors in normative legal acts and their drafts, the development of

recommendations aimed at eliminating the identified corruption factors, and the adoption of appropriate measures.

Anti-corruption expertise of normative-legal acts in Uzbekistan was started in 2006, and the history of its formation can be divided into several periods, including the following:

In **2006-2009**, the Center for Economic Research, supported by the United Nations Development Program, carried out a number of studies based on the methods of anti-corruption expertise. These studies examined the issues of privatization, wholesale and retail trade, foreign trade operations, banking services, technical regulation, public procurement regulations and tax legislation.

In **2011**, the first steps were taken to create a legal framework for this activity – the Ministry of Justice developed a special methodology. On its basis in **2015**, the Methodology of anti-corruption expertise of normative legal acts and their projects was adopted (reg. No.2745, December 25, 2015).

It should be noted that during this period, the anti-corruption expertise of legislative documents was not conducted as an independent process, but as part of the legal expertise; types of corruptive factors were not fully covered, the expertise caused certain difficulties for persons who are not specialists in the field of law.

In **2021**, a new version of Article 25 of the Law "On normative legal acts" established strict norms for mandatory anti-corruption expertise of draft normative legal acts along with legal expertise. In the same year, an Order on approval of the Regulation on the Procedure for conducting anti-corruption expertise of normative legal acts and their drafts was adopted (Reg. No. 3287, February 24, 2021).

This Regulation includes a methodology of identifying corruption factors and a sample questionnaire – a checklist consisting of **23** items on various corruption factors in **4** areas. With the help of specific examples given for each factor, all persons can identify

the relevant anti-corruption norms in the acts of legislation.

Development of the system of anti-corruption expertise of legislative documents entered a **new** stage with the adoption of the Presidential Decree of November 22, 2021, No. PP-5263 "On measures to further improve the conduct of anti-corruption expertise of normative legal acts and their drafts".

Within the framework of the system introduced by this Decree, **for the first time** the practice of anti-corruption expert examination of existing legislative acts was launched. Thus, in 2021, the Ministry of Justice together with the relevant ministries and agencies conducted an anti-corruption expert examination of more than **800** legislative acts regulating the daily life of the **population and business entities**.

More than **650 corruptive factors** were identified in **224** of these documents (**28 percent**) and appropriate measures were developed to eliminate them.

In this connection, the above-mentioned decree of the Head of the State approved the **plan** of systematic continuation of work and anticorruption examination of **all existing legislative acts** (more than **21** thousand in all) until 2026. According to the schedule, only this year an anticorruption expert examination will be carried out for **more than 1800** legislative acts concerning social protection, banking and financial activity, entrepreneurship and customs affairs. All necessary measures for this are determined by the Decree № 140 of the Cabinet of Ministers of March 26, 2022 "On measures to conduct an anti-corruption expertise of normative legal acts in 2022.

The Ministry of Justice is tasked with **coordinating the activities of state bodies and organizations** in the field of anti-corruption expertise and **providing them with methodological support**.

In addition, based on the positive experience of foreign countries the legal basis for the wide involvement of the **public, scientific organizations** and **independent**

experts in the processes of anti-corruption expertise was created.

Henceforth, persons interested in this sphere can be included in the **Roster of experts on anti-corruption expertise of legislative acts and their drafts**, which is maintained by the Ministry of Justice, and can work as an independent or scientific expert. At the same time, their conclusions on anti-corruption expertise of legislative acts

will be considered by state bodies and organizations.

Summing up, we can say that today all the effective mechanisms of the system of anticorruption expertise of legislative acts and their drafts, based on the international standards aimed at preventing corruption and uncompromising fight against it, are implemented in our country.

PUBLIC POLICY

THE ORGANS OF INTERNAL AFFAIRS ON THE WAY TO COMBATING CORRUPTION**Azizbek IKRAMOV ***

* Deputy Minister of Internal Affairs of the Republic of Uzbekistan, major-general

Abstract: *The article briefly describes the priority tasks of internal affairs bodies in the fight against corruption, shows the national personnel training programs launched in the system and a comprehensive analysis of the work carried out in this field.*

Sent: May 31, 2022.

Accepted: June 11, 2022.

Published: July 25, 2022.

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HOW TO CITE:

Ikramov A. 2022. The organs of internal affairs on the way to combating corruption. Uzbekistan Anti-Corruption Digest. 2, 2 (July 2022),8–10.

DOI: <https://doi.org/10.47689/uacd-2181-3345-vol2-iss2-pp6-9>

On January 3, 2017, due to the political will of the President Shavkat Mirziyoyev, the Law of the Republic of Uzbekistan “On Combating Corruption” was adopted. This document states that the fight against this scourge is one of the priorities of government agencies, in particular the organs of internal affairs.

In the system of the Ministry of Internal Affairs, special attention was paid to the training of personnel capable to perform these responsible tasks. From the 2018/2019 academic year, full-time and part-time students of the Academy of the Ministry are taught the subject “Prevention of corruption in law enforcement bodies and the formation of anti-corruption behavior among officers”.

From the 2021/2022 academic year, the students of the organizational and tactical management of the Master’s degree of the Academy of the Ministry of Internal Affairs study “Organization of combating corruption”, “Anticorruption and compliance control” for students studying in the field of organizational and strategic management.

On February 11, 2020, the President held a meeting dedicated to the introduction of a new system of combating corruption. On the bases of the requirements of this meeting, systematic work was carried out to raise the legal awareness and legal culture of officers. In particular, the Ministry of Internal Affairs publishes articles on this topic under the headings “We are against corruption”, “Officers with the motto honesty”, “Bribes make a face black”. Enriching the morals of the officers is an important factor in building immunity against corruption. On April 2, 2021 the President of the Republic of Uzbekistan approved “Concept of the organization of

spiritual and educational work in law enforcement bodies". The concept, which is currently being implemented, will help officers to become loyal to their duty, able to fight corruption uncompromisingly, strong in faith and will, selfless and highly spiritual.

The essence of it lays the conceptual idea as "Serving the Motherland and the people is our supreme duty!". Thus, a patriotic, loyal servant of the people will never be self-interested or bribe takers. Appropriate practical and organizational measures are being taken to form a concept among officers a principle "Corruption is against my career and my family, against my future!".

By the end of 2021, more than 17,000 officers have been retrained. More than 2,000 crime prevention inspectors have been trained in mobile training courses.

Trainings on the formation of intolerant attitude of officers to corruption in all sectoral services of the system and educational institutions spiritual and enlightenment events on "Let's unite in building New Uzbekistan free from corruption!" are being held. The films "Armon" (regret) and "The Last Regret is Your Enemy" were shown, dedicated to the tragic consequences of corruption. In combating corruption in law enforcement bodies, a special attention is paid to reducing the conditions and factors that cause it. In addition, public services provided by law enforcement bodies are gradually being transferred to the Public services centers.

An auction procedure has been established for the registration of state number plates for vehicles. There is also a lot of communication with citizens.

All officers of road patrol and patrol-post services are provided with body cameras and are used effectively in the prevention of accidents.

Requirements for taking an exam to obtain a national driver's license, which entitles the holder to drive a vehicle, have been strengthened. In particular, the theoretical examination rooms are equipped with online surveillance, video surveillance and the necessary technical equipment, which allows

to conduct online monitoring of the examination process. The installed video surveillance system serves to prevent corrupt practices and ensure transparency in the process, limiting the interference of officers in examinations and the issuance of state number plates.

A simplified procedure has been established for the recruitment of law enforcement officers, which provides for the elimination of cases of harassment of candidates. Previously, the candidate's documents were considered for 6-7 months.

Now, according to the new procedure, the selection process is carried out within 30-40 days. In order to ensure transparency in this process, as a pilot project, a "Recruitment Center for Internal Affairs" was established under the Main office of internal affairs in Tashkent. Representatives of public organizations took part in the competition, and the process was broadcasted live to the parents of the candidates via video surveillance devices. Several types of anti-corruption propaganda materials have been prepared. Slides on the content of the Law of the Republic of Uzbekistan "On Combating Corruption", posters "Corruption is a murder of development", "Do not be a slave to your desires!", "We, officers of internal affairs are against corruption!" booklets are among them. In order to form a strong immunity of officials of the Ministry of Internal Affairs against corruption, special attention is paid to Spirituality and Enlightenment lessons.

Among the pupils of the academic lyceums of the Ministry of Internal Affairs competition of essays on "We are against corruption!", "Corruption is a threat to the future", "Corruption is a destructive way" and a competition of essays on the topic "Corruption is the destruction of society" were written.

Another novelty. The mechanism for citizens to report bribery to law enforcement officials has been worked out. Private security units are taking urgent measures in such cases. In particular, 1 such case was detected in 2017, 52 in 2018, 56 in 2019, 130 in 2020, and 203 in 2021, and citizens

who tried to bribe officers were prosecuted. The officers who reported about it were encouraged by the leadership of the Ministry of Internal Affairs.

The issues of social protection and support of officers play an important role in preventing and combating corruption. Admittedly, in the past, there were many shortcomings in the system of social protection of officers. This, in its turn, negatively affected the mood of the staff, causing young people to lose interest in the field of law enforcement. It is with great pleasure that I can say that radical changes are taking place in this direction. During 2021, 2,688 officers living in rent were paid apartment rents, and 466 officers were granted interest-free loans. At the same time, a total of 816 officers and servicemen were provided with apartments (147 servicemen were provided with preferential (low) prices and 669 servicemen were provided with down payments on the basis of mortgage loans).

During the first 4 months of this year, 856 officers were paid apartment rents, and 112 officers were granted interest-free loans. In addition, 270 officers were provided with preferential (low-cost) housing for the purchase of housing. 819 million soums were allocated to 144 officers injured during their service, as well as more than 3 billion 725 million soums to the families of 13 deceased officers. During the past period of this year, a total of 1,319 children of officers were given letters of recommendation and 537 letters of recommendation for admission to study outside the established quota.

Thus, over the past short period, the system of combating corruption in law enforcement bodies has been further improved. Significant results have been achieved not only by bringing the perpetrators to justice, but also by taking systematic preventive measures. At the same time, in accordance with the Development Strategy of New Uzbekistan, the main task of law enforcement bodies will be to identify areas and sectors prone to

corruption, increase the effectiveness of the system to eliminate corruption, and actively participate in the formation of intolerance in society. In order to effectively fight against corruption in the future, it is necessary, first of all, to further increase the legal awareness and legal culture of officers, to strengthen intolerance of corruption. On the bases of an in-depth analysis of the risks of corruption, it is necessary to intensify legal advocacy in order to inform officers about this problem and its consequences.

It is also necessary to consistently continue to reduce the human factor through the widespread use of information and communication technologies in sectoral services that communicate directly with citizens on the tasks of the service, which are at high risk of corruption.

There is a need to intensify efforts to combat those who offer bribes to officers of the sector and pursue other illegal goals. At the same time, the issues of social support and financial incentives for officers are required to be in constant focus.

Increasing the accountability of leaders at all levels is also important in combating any form of corruption. Regular public opinion polls are needed to assess the level of trust in public authorities and the impact of anti-corruption measures.

UZBEKISTAN ANTI-CORRUPTION DIGEST

NORMATIVE LEGAL ACTS

THE CORRUPTION FREE SPHERE PROJECT IN THE FIELD OF CAPITAL CONSTRUCTION IN ACTION



Presidential Decree No. PF-5729 of May 27, 2019 “On measures to further improve the anti-corruption system in the Republic of Uzbekistan”, prescribes that from August 1, 2019, as an experiment, to organize, with the involvement of the public and leading experts, including foreign ones, the implementation of the “Corruption Free Sphere” at the initial stage in the areas of capital construction and higher education, with a phased introduction of the project in other spheres from April 1, 2020.

In order to ensure the implementation of the tasks specified in the decree, a “Roadmap” of 33 clauses on the implementation of the project “Corruption Free Sphere” in the field of capital construction has been developed and approved.

To date, extensive work has been done to ensure the implementation of tasks specified in the “Roadmap”,

the elimination of corruption and bureaucratic obstacles in the construction sector, ensuring transparency at all stages of the construction processes through the widespread introduction of modern information and communication technologies in the field.

Paragraph 4 of the “Roadmap” of the project “Corruption Free Sphere” in the capital construction provides for the introduction of the Ministry of Construction “compliance control”, aimed at strengthening anti-corruption measures with the support of the United Nations Development Program.

According to the Resolution of the Cabinet of Ministers No.72-f of February 17, 2020 appropriate measures have been developed in connection with the introduction of “compliance control” system to combat corruption in the Ministry of Construction with the participation of experts from the international auditing company KPMG (Italy).

In the first phase of the work carried out jointly with the experts of KPMG (Italy), 25 laws and 30 internal documents of the Ministry, relating to the construction industry were analyzed.

Foreign experts of KPMG conducted 40-hour interviews with 27 ministerial departments and heads of departments, identified 70 causes of corruption in the system and developed 50 recommendations to eliminate them.

On the basis of the Decree of the President of the Republic of Uzbekistan by July 6, 2021 No. PQ-5177 “On additional measures for effective organization of anti-corruption activities” full-time positions of compliance-control specialists were established in the system of the Ministry. Candidates for these positions were selected on a competitive basis in coordination with the Anti-Corruption Agency of the Republic of Uzbekistan.

In addition, as part of programs of cooperation with the UN Development Program and KPMG experts more than 15 open and transparent recruitment mechanisms for vacant positions in the Ministry of Construction, conflict of interest management, crime reporting, public procurement; internal departmental documents were revised in accordance with international standards.

Also, with the participation of specialists from the UN Development Program and KPMG in the ministry more than 20 video conferences and training seminars were organized for all responsible employees working in the system of the ministry, as well as compliance control specialists. These educational seminars were covered by the media.

In order to ensure transparency in the implementation of innovative technologies, Presidential Decree No. PP-4464 “On measures to widely introduce information and communication technologies in the sphere of construction” was adopted on September 20, 2019.

In accordance with the Decree the national information system “Transparent construction” and geoinformation system (geoportal) “State town-planning cadastre of the Republic of Uzbekistan” were developed to maintain the state town-planning cadastre and provide the population with town planning documents and information online.

By the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No.69 of February 8, 2020 the Center for the development of information and communication technologies in the construction industry was established.

Also, the Resolution No.732 of the Cabinet of Ministers of November 19, 2020 “On measures for the further development of information systems and geoinformation technology in the construction industry” was adopted, which allowed to fully digitize the reconstruction of construction projects, preparation of design estimates, examination, monitoring and control activities.

As part of the national information system “Transparent Construction”, the Center developed:

- information system “Construction Quality Control”;
- information system “Expertise of design and estimate documentation”;
- electronic registry “Expert conclusions of design and estimate documentation”;
- information-analytical system “Control over the construction of objects of the investment program”;
- information systems of the “State Construction Services” platform. Licensing services for certain types of construction are fully digitized through this platform.

Information systems developed as part of the national information system “Transparent Construction” were integrated with

information systems and databases of other government agencies.

From January 1, 2021 information systems developed under the national information system “Transparent Construction” will be fully operational in all regions of Uzbekistan.

In the sphere of capital construction in the framework of the project “Corruption Free Sphere” effective work was done to improve the efficiency and effectiveness of design and survey and construction contracting organizations, creating a healthy competitive environment between them, and further improve the quality of construction and installation work.

In particular, the Presidential Decree No. UP-5963 of March 13, 2020 “On additional measures to deepen reforms in the construction industry of the Republic of Uzbekistan” was adopted.

In accordance with the Decree, from September 1, 2020 there was introduced an electronic rating of construction contractors, which is automatically formed and classified by the volume and objects of construction work based on tax and statistical reporting data, as well as data from the supervisory inspection in the field of construction.

Also, in accordance with the Resolution of the Cabinet of Ministers No.699 of November 9, 2020 “On measures to implement procedures for calculating and maintaining rating of design and construction contractors” an information platform “Rating of construction contractors” was developed.

In accordance with the Resolution of the Cabinet of Ministers Decree of 08.02.2022 No.64 “On amendments to the Cabinet of Ministers Resolution of November 9, 2020 No.699 “On measures to implement procedures for calculating and maintaining rating of design and construction contractors” information platform “Rating of design organizations”, information platform “Rating of construction contracting organizations” updated in the context of the following areas were developed:

1. The direction of construction of roads, bridges;

2. **General construction – the direction of the construction of social facilities;**

3. **Direction of melioration and irrigation facilities construction.**

In addition, the Resolution of the Cabinet of Ministers No.55 of February 5, 2021 approved the Provisional Regulation "On the order of organization and conduct of tenders in the construction".

Based on the requirements of the Regulation, in 2021 the practice of placing tenders in the field of construction through the electronic portal "tender.mc.uz" was launched. Taking into account identified shortcomings in the processes of electronic bidding carried out in 2021 the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan of January 31, 2022 No.46 "On measures to improve the organization and conduct of electronic public procurement in the construction sphere" was adopted. This Resolution approved "Regulations on the organization and implementation of electronic public procurement in the field of construction".

To date, tenders in the field of construction are held through the electronic portal "tender.mc.uz", based on the requirements of these Regulations.

A number of works were carried out to control the performance of construction and installation works, to prevent conflicts of interest in the process of commissioning of facilities.

In particular, in order to further improve the quality of construction and installation work, strengthening the role of supervisory inspections in the field of construction was adopted by the President of the Republic of Uzbekistan on February 5, 2020 No. PP-4586 "On measures to radically improve the quality of construction and installation work and improve the monitoring system in the construction".

According to the Resolution, of April 1, 2020 has been introduced an improved new procedure for state construction control of construction, reconstruction and overhaul based on risk categories and functional purpose of objects.

Also, a subsystem "Control in construction" was launched, electronic document management in the national information system "Transparent construction" in the state construction control was introduced.

At present, more than 32800 users in Uzbekistan carry out measures of control through the system "Control in construction".

In the sphere of capital construction, a number of measures were taken to eliminate administrative and bureaucratic obstacles, simplify and accelerate registration, permitting and licensing procedures.

In particular, in order to optimize the procedures for granting free land plots for non-agricultural purposes and the implementation of architectural and construction works, the Decree of the President of the Republic of Uzbekistan No. PP-4427 "On measures to further improve the procedures for granting vacant non-agricultural land plots and architectural and construction works" of August 26, 2019 was adopted.

On the basis of this Decree the order was introduced, according to which free land plots of non-agricultural purpose in the Republic of Karakalpakstan, regions and Tashkent city began to be provided for business and urban development activities exclusively through an electronic online auction on the trading platform "E-IJRO AUKSION".

This system was further improved by the Resolution of the Cabinet of Ministers No.71 of February 14, 2022 "On measures to implement the Law of the Republic of Uzbekistan "On privatization of non-agricultural land".

Also, in accordance with the letter-order of the Presidential Administration of the Republic of Uzbekistan No.02-2488 of September 4, 2020, in cooperation with the Anti-Corruption Agency, the Chamber of Accounts and the Prosecutor General's Office, the Ministry of Construction developed and approved the "Roadmap to combat and prevent the shadow economy and corruption in 2020-2021".

As part of the implementation of the tasks specified in the Roadmap, 25 normative legal

acts and 30 internal departmental documents regulating the sphere were analyzed in order to determine the facts of corruption, their causes and existing problems in the system of the Ministry of Construction. As a result of the research, 126 potential corruption risks were identified and appropriate measures aimed at eliminating them were identified.

In particular, at the fourth stage of the program of cooperation with the experts of KPMG (Italy) the “Analysis of efficiency of implementation of anti-corruption procedures in the system of the Ministry of Construction of the Republic of Uzbekistan” was conducted. Based on the results of this analysis an additional plan of measures will

be developed on the basis of recommendations provided by the experts of KPMG (Italy).

Today in the system of the Ministry of Construction measures aimed at ensuring the timely and qualitative implementation of tasks to combat and prevent corruption, as well as to further improve the effectiveness of internal anti-corruption control structures continue to be carried out.

Internal Audit and
Compliance Control Department
of the Ministry of Construction of the
Republic of Uzbekistan

UZBEKISTAN ANTI-CORRUPTION DIGEST

ANTI-CORRUPTION

THE ROLE OF THE MEDIA IN COMBATING CORRUPTION

Gulnora BABADZHANOVA*



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Abstract: *The article focuses on the possibility and educational value of mass media as an important tool of public control to inform about the cases of corruption and to form an intolerant attitude towards it in society and citizens, to activate people to fight against it.*

Sent: May 31, 2022.

Accepted: June 11, 2022.

Published: July 25, 2022.

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HOW TO CITE:

Babadzhanova G. 2022. The role of the media in combating corruption. Uzbekistan Anti-Corruption Digest. 2, 2 (July 2022), 13–14. DOI: <https://doi.org/10.47689/uacd-2181-3345--vol2-iss2-pp14-16>

In recent years, the problem of corruption, along with other serious challenges and threats, has become a very significant factor of social instability and critical events in many countries around the world. In fact, corruption undermines the democratic foundations, institutions, pillars and moral values of society. This is not the story of just one country; it is already widespread in many countries of the world.

In addition, it causes irreparable damage to all the world's economies. That is why many countries of the world are actively involved in the fight against this evil, using all kinds of means and tools.

Corruptibility, embezzlement, and bribery are just three examples of corrupt practices. Corruption, unfortunately, occurs at all levels of society. The anti-corruption organization Transparency International publishes an annual Corruption Perceptions Index; the 2021 index does not reflect very well the decline of corruption. It shows that corruption levels around the world are stagnating: 86 percent of countries have made little or no progress over the last decade. Failure to fight corruption exacerbates human rights abuses, undermines democracy and creates a vicious circle. Denmark, Finland and New Zealand were the least corrupt of the 180 countries. In addition, Somalia, Syria and South Sudan were the most corrupt in Transparency International's survey.

Even developed countries around the world, such as Germany, score 80 out of 100, which is relatively high compared to other countries. Germany ranks 10th in the international ranking; Hartmut Baumer, Chairman of Transparency International

Germany, believes that Germany's ranking has not improved in the past six years. This indicates a lack of significant progress in the fight against corruption. Hartmut Baumer notes: "After the 'Mask Affair' during the coronavirus pandemic, the pressure on lobbyists finally increased last year and the rules on the secondary activities of MPs became stricter. However, there is still massive secrecy in all spheres of public life – management is still for the most part subject to official secrecy, the criminal liability of companies is still not regulated, and whistleblowers are still not adequately protected. Arbitrary recourse by companies to trade secrets often prevents the elucidation of alleged cases of corruption."

Along with the national law enforcement system, other stakeholders and civil society institutions, the media is also actively involved in preventing and combating corruption. This is not coincidental, as the media has the potential to be inclusive, responsive and accessible to all citizens. It is also important to note the degree of citizens' trust in the information disseminated by the media.

The media, as an important instrument of public control, has the ability to inform the public about cases of corruption, to create a sense of rejection in the population and to activate people to fight corruption. In addition, social partnerships between law enforcement agencies, journalists and civil society representatives can be an important mechanism in preventing corruption. It is within the framework of such effective partnerships that investigative journalism can be conducted and its results published, exposing to the public those responsible for these crimes and preventing new cases of corruption. Such work requires broad and effective use of all opportunities offered by the media. Of course, for journalists to cover these issues well, they need very serious and deep knowledge about the causes, mechanisms and means of corruption, how to make their stories interesting, promote legal education and adhere to ethical standards in their work. In short, journalists

and bloggers need good knowledge in this specialized field.

An important social and educational function of the media is also the formation of an anti-corruption mentality in society and the understanding by young people and their families from an early age that corruption is a crime. This is the goal and objective of the project "Building the Capacity of Media Representatives, NGOs, and Bloggers to Counter Corruption" implemented by the Journalists' Retraining Centre of Uzbekistan with the support of the Anti-Corruption Agency of the Republic of Uzbekistan. As part of the project, educational training sessions were held throughout the country to increase the professional and legal literacy of participants and to give them investigative journalism skills. To support journalists, bloggers, and journalism students, a training manual on covering corruption issues was developed, social videos were prepared, and a creative contest on the theme "We Against Corruption!" was organized. At the same time, it should be noted that this work must be actively pursued in partnership with all the stakeholders in society, involving more young journalists. The main message of all the work is "Everyone should start the fight against corruption with themselves!"

UZBEKISTAN ANTI-CORRUPTION DIGEST

ANTI-CORRUPTION

INTRODUCTION OF INFORMATION AND ANALYTICAL PLATFORMS AS AN IMPORTANT TOOL FOR THE PREVENTION OF CORRUPTION OFFENSES IN THE REPUBLIC OF UZBEKISTAN

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The process of public administration, the main aspects of the effective introduction of information and communication technologies that allow depersonalization and standardization of the main administrative processes, prevent the commission of corruption-related crimes, improve the quality of public services and increase the level of citizens' trust in the state were discussed.

Sent: May 31, 2022.

Accepted: June 11, 2022.

Published: July 25, 2022

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HOW TO CITE:

Ismailov, B. 2022. Introduction of information and analytical platforms as an important tool for the prevention of corruption offenses in the republic of Uzbekistan. Uzbekistan Anti-Corruption Digest. 2, 2 (July 2022), 22–24.

DOI: <https://doi.org/10.47689/uacd-2181-3345--vol2-iss2-pp17-21>

The active penetration of the Internet and IT technologies into all spheres of human life, characterized as the fourth wave of the industrial revolution or "Industry 4.0", contributed to their active use to solve key problems of the state (improving the quality of public administration, ensuring the openness of state bodies, minimizing the human factor in decision-making, strengthening public control over the actions of officials, etc.) including in the field of anti-corruption.

It should be noted that in Uzbekistan, an important aspect of optimizing public administration is digitalization, which transforms public services, thereby increasing the quality and efficiency of the public sector, ensures openness and transparency of management processes, strengthens citizens' trust in public authorities, promotes effective disclosure of corruption offenses, contributes to the formation of an atmosphere of intolerance to corruption in society, etc.

The Law of the Republic of Uzbekistan "On combating corruption" on January 3.01.2017 defined as the main directions of state policy in the field of combating corruption: raising the legal consciousness and legal culture of the population, the formation of an intolerant attitude to corruption in society; implementation of measures to prevent corruption in all spheres of the life of the state and society, as well as timely detection, suppression of corruption offenses, elimination of their consequences, causes and conditions that contribute to

them, ensuring the principle of inevitability of responsibility for corruption offenses. The implementation of the tasks set is impossible without the use of modern ICT and appropriate information and analytical platforms in the field of anti-corruption.

In 2017, a new version of the Unified Portal of Interactive Public Services began to operate (my.gov.uz), in 2018, in order to attract and consolidate investors' funds for the implementation of projects in the field on the terms of public-private partnership, including those related to the introduction of blockchain technology, the Digital economy development support fund "**Digital trust.**"

The Anti-Corruption Agency, together with the Prosecutor General's Office and other interested bodies, is introducing modern information platforms on anti-corruption.

The first type of platforms are aimed directly at improving the procedures for providing public services, minimizing the human factor and preventing corruption factors. As an example, we can cite a platform that provides the introduction of the most popular public services, minimizing corruption factors, and reducing the discretionary powers of officials.

Thus, in order to further improve the quality of the provision of electronic public services, a Resolution of the Cabinet of Ministers of 15.09.2017 was adopted. "On measures to improve the procedure for the provision of electronic public services through the **Unified Portal of Interactive Public services of the Republic of Uzbekistan**" No. 728.

The unified portal, functioning on the basis of the "**Electronic Government**" system, is a single access point to 253 electronic public services provided by state bodies in the form of information and interactive public services.

In order to simplify and unify the procedure for organizing and conducting electronic online auctions on the electronic trading platform "**E-auksion**", increase the openness and transparency of processes, reliable protection of the rights of participants, as well as create facilities for public

participation in auctions. The Presidential Decree "On measures to simplify the procedure for conducting electronic online auctions, increase transparency and guarantee reliable protection of the rights of their participants" No. PP-5197 was adopted, on the basis of which the unified electronic trading platform "E-ijro auksion" was renamed the electronic trading platform "**E-auksion**".

In order to ensure the necessary transparency, accelerate the process of developing and approving draft regulatory legal acts, and prevent corruption in this area, on 08.08.2018, the Presidential Decree "On approving the Concept of Improving rule-making activities" No. UP-5505 was adopted, according to which a Unified electronic system for developing and approving draft regulatory legal acts "**E-qaror**" was launched."

In accordance with the Decree of the President of the Republic of Uzbekistan "On additional measures to ensure the openness of the activities of state bodies and organizations, as well as the effective implementation of public control" dated 06.16.2021, the portal "**Open Budget**" was launched.

Since January 1, 2021, the License information system with a special mobile application covering all processes related to licensing procedures, issuing permits and notifications has been launched through the Unified Portal of Interactive Public Services.

The second type of platforms are focused directly on improving anti-corruption tools and measures, identifying persons who have committed corruption offenses.

Since 2021. The Prosecutor General's Office, together with interested ministries and departments, ensured the connection of all bodies conducting pre-investigation checks to the software module of the Unified Information System "**Electronic criminal law statistics**", which allows registration of statements, messages and other information about crimes in electronic form and maintaining a unified electronic record of the results of their consideration.

The procedure for electronic submission of reports of district prosecutor's offices to the **"Unified reporting portal"** has been introduced.

On September 7, 2020, the Decree of the President of the Republic of Uzbekistan "On measures to radically improve the system of land accounting and state cadastres" No. UP-6061 was adopted, providing for the full-fledged maintenance of a Unified system of state cadastres and the implementation of effective cadastral supervision. From October 1, 2020, decisions, protocols of auctions and tenders, notarized transactions and other documents providing for the emergence, modification, alienation, restriction and termination of rights to land plots come into force after state registration in the **National Geographic Information System of the Republic of Uzbekistan**.

In accordance with the Presidential Decree of June 29, 2020 "On additional measures to improve the anti-corruption system in the Republic of Uzbekistan", on August 5, 2021, the Anti-Corruption Agency launched an information platform **E-Anticor.uz.**, through which you can report the extortion of a bribe.

Based on the consideration of these appeals and the analysis of corruption cases identified in various fields, the agency takes measures to eliminate the factors contributing to the emergence of corruption. Including the development and implementation of proposals to change, repeal or amend legislative norms that lead to corruption.

As of May 2022, on the electronic platform **E-Anticor.uz.** 237 appeals were received, 55 of them were considered, 182 appeals are being considered.

The third type is formed by platforms aimed at preventing corruption directly in specific areas **Digitalization of the judiciary** As a result of the implementation of the Program for the introduction of modern information and communication technologies into the activities of courts for 2017-2020, approved by Presidential Decree No. PP-3250 of August 30, 2017, systems for remote access to courts, participation in

court sessions using a video conferencing system, automatic distribution of cases between judges, publication of court decisions on the Internet, sending enforcement documents for enforcement in electronic form.

In order to digitalize the activities of judicial authorities on 03.09.2020, the Presidential Decree "On measures to digitalize the activities of judicial authorities" No. PP-4818 was adopted, which defined the tasks of the next stage of digitalization of the activities of judicial authorities: expanding the types of interactive electronic services provided to citizens and business entities, ensuring online monitoring of the process of 16 considering each appeal, creating opportunities for free use of interactive services in courthouses; implementation of the Complex of information systems "Adolat", which allows the possibility of submitting lawsuits, applications and complaints to the courts exclusively in electronic form, **Digitalization of the construction sector**.

In order to eliminate corruption and bureaucratic obstacles in the construction sector, to ensure transparency of all stages of the construction process for the public through the widespread introduction of information and communication technologies by Presidential Decree of November 20, 2019. "On measures for the widespread introduction of information and communication technologies in the field of construction" No. PP-4464, the national information system "Transparent Construction" was introduced into the activities of the Ministry of Construction of the Republic of Uzbekistan, a Geographical Information System (geoportal) was launched on March 1, 2020 "State Urban Planning Cadastre of the Republic of Uzbekistan".

Digitalization of customs authorities.

In order to reform customs administration, further improve and increase the efficiency of customs authorities, form a "digital customs", prevent corruption in the customs system, as well as accelerate the implementation of generally accepted

international norms and standards in the field of customs 05.07.2020 Presidential Decree No. UP-6005 "On reforming customs administration and improving the activities of the State Customs Service of the Republic of Uzbekistan" was adopted, which served as a roadmap for meaningful reform of customs authorities and prevention of corruption in the customs sphere.

Work is underway to introduce automated information systems "**Automated release**", "**Customs Audit**" and "**Electronic Transit (E-tranzit)**".

On February 17, 2022, at a meeting chaired by the President on further reforming customs and transforming it into a corruption-free sphere, changes in the customs sphere were announced: the cargo declaration will be issued outside the posts, automated identification of corruption risks will be established when determining codes and costs, employees will rotate every three years, a system for declaring their income and property will be introduced, and other.

Digitalization of notary bodies.

In order to transfer the institute of notaries to a digital model, radically simplify the processes of performing notarial actions, increase the efficiency of providing notarial services, eliminate unnecessary bureaucratic barriers and obstacles in civil law relations, including in the free disposal and use by private property owners of their property, minimize corruption factors in this area September 9, 2019 the automated information system "Notary" has been introduced, which allows monitoring of all notary actions through an online information system, prevention and termination of illegal actions and abuses, **Digitalization of the healthcare sector.**

In order to digitalize the healthcare sector and introduce a single set of information systems, reduce unnecessary procedures in the management process, improve the quality of services to the population, ensure the efficiency of medical workers, as well as the full implementation of digital transformation programs, on February 2, 2021, the Presidential Decree "On measures

for the effective organization of digitalization in the healthcare sector" No. PP-5000 was adopted in compliance with which introduced a single complex of information systems "**Electronic healthcare**".

Accordingly, it can be stated that in Uzbekistan, the effective introduction of ICT into the process of public administration makes it possible to depersonalize and standardize the main administrative processes, prevent the occurrence of corruption crimes, improve the quality of public services and increases the degree of trust of citizens in the state.

At the present stage of reforms, the following are relevant: creating conditions for building the appropriate infrastructure, the necessary funds and labor resources. improving digital literacy of employees of state and economic management bodies; expansion of the use of automated information systems for the collection and processing of accounting and statistical information, operational, for investigative practice, forensic, managerial, for expert activities and law enforcement automated data processing systems, automated information retrieval systems, automated information and reference systems, automated workstations, automated control systems, expert systems; expanding the implementation of a new generation of anti-corruption solutions, #NextGenAntiCorruption, related to the UNDP #NextGenGov initiative and the advanced UNDP program – Accelerator Labs, taking measures to prevent the misuse of innovations and technologies, their use for personal gain in the commission of corruption crimes.

GUEST

THE MAIN DIRECTIONS OF KAZAKHSTAN'S ANTI-CORRUPTION POLICY – Mustafa MUSLIMOV*



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HOW TO CITE:

Muslimov M. 2022. There is no single, universal approach to anti-corruption reform. Uzbekistan Anti-Corruption Digest. 2, 2 (July 2022), 40–42.

DOI: <https://doi.org/10.47689/uacd-2181-3345-vol2-iss2-pg22-26>

1. What factors shape anti-corruption policy in the country?

With the adoption of the Law “On Combating Corruption”, a system of anti-corruption measures with a reasonable balance of preventive and criminal law instruments was created.

Civil society is actively involved in the fight against corruption through anti-corruption education and the creation of an atmosphere of “zero” tolerance to any manifestations of corruption.

An independent authorized anti-corruption body – The Anti-Corruption Agency of the Republic of Kazakhstan, subordinate and accountable to the President of the Republic of Kazakhstan, has been established.

As the main conductor of the anti-corruption policy of the state, the Agency in its activities combines elements of effective prevention, large-scale education, constructive partnership with society and criminal law measures.

The introduction, within the framework of project management, of a model anti-corruption baseline for each state body has strengthened the coordinating capacity of the anti-corruption service.

2. Can you briefly talk about the achievements of the Republic of Kazakhstan in the prevention of corruption in recent years?

Preventive measures in Public Service

A Code of Ethics for Civil Servants is in force, and the institution of ethics commissioners has been established in local and central public authorities. Councils of ethics are functioning.

A new anti-corruption restriction to hold foreign bank accounts has been introduced for civil servants, members of Parliament and judges.

There is a complete ban on receiving and giving gifts in connection with the performance of official duties to persons holding responsible public office, as well as those authorized to perform public functions, and persons with equivalent status and their family members.

The norms on the inadmissibility of joint service (work) of the specified persons with close relatives, spouses and cousins have been strengthened. Candidates for public office are required to notify working relatives in a public organization.

Strengthening accountability for corruption and ensuring the inevitability of punishment

There is a lifetime ban on employment in the civil service and quasi-public sector entities for perpetrators of corruption offences.

Sanctions for corruption offences have been increased for law enforcement officers, judges, bribe-takers and bribery intermediaries.

Felony for those convicted and especially grave corruption offences, the possibility of parole was excluded. It was prohibited to serve a sentence for bribery immediately in an institution of minimum safety.

Personal liability of heads of state agencies, organizations and quasi-public sector entities for corruption of subordinates has been introduced.

3. How much attention is given to anti-corruption education in your country?

A collection of didactic games “Adaldyk əlippi” has been developed to develop values in preschool children.

An anti-corruption component has been incorporated into the basic content of primary school curricula.

Meanwhile, “Adal ʏrpak” school clubs and “Sanaly ʏrpak” student clubs operate in all regions of the country, the activities of which are aimed at developing intolerance to corruption in the education system.

Methodological guidelines for the implementation of the principles of academic integrity in higher and (or) postgraduate education institutions, including with the use of the tools of the Academic Integrity League (Order No. 587 of 10.12.2021) were developed.

At the same time, in order to promote the values of justice, honesty, integrity and trust on the example of the works of great thinkers and

successful contemporaries, within the nationwide campaign “The Hour of Integrity” video lectures have been broadcast (available on YouTube channel of the Agency).

The videos, prepared in cooperation with local executive bodies, have become an excellent basis for educational institutions. Showing them during training or meetings with young people and before cinemas has become an additional tool to promote the principles of integrity.

Joint action plans have been approved with the leading regional universities of the country, according to which interaction in terms of building an anti-corruption culture and analytical work, anti-corruption expertise and promotion of anti-corruption compliance, strengthening the work of public councils and implementation of the Anti-Corruption Policy Concept for 2022-2026 (hereinafter – the Concept) has been strengthened.

The Agency also organized training for civil servants at the branches of the Academy of Public Administration under the President of the Republic of Kazakhstan.

In order to ensure the practical orientation of training programs, the issue of updating the anti-corruption component with the development of special training programs and the formation of a “pool of lecturers” from among the employees of the Agency is being worked out with the Academy.

4. What areas do you think should be addressed in the fight against corruption in the future?

Administrative barriers, ambiguous and discretionary norms, insufficient openness of state bodies, gaps in automation of public administration business processes, lack of standards for accessible and understandable explanation to various social groups of their rights, obligations and procedures based on specific situations, regional, sectoral and other specifics persist.

All these factors give rise to everyday corruption due to the interaction of citizens and entrepreneurs with representatives of state bodies and organizations in everyday life.

One of the reasons for the lack of effectiveness of anti-corruption measures remains the insufficient involvement of state authorities and quasi-public sector actors.

In addition, risks include non-competitive salaries for civil servants compared to the corporate sector, a lack of an effective mechanism for preventing conflicts of interest in the performance of public functions, and a lack of instruments for responding to the significant discrepancy between expenditures and revenues.

Preventive measures are predominantly aimed at counteracting corruption among civil servants, which reduces the effectiveness of preventing corruption by non-corrupt individuals, but which has a high impact on citizens' perception of the level of corruption.

Lack of transparency and citizens' access to information on the formation/expenditure of budgetary funds, lack of linkages between these processes, and inefficient planning increase the risk of corruption in public finance management.

The mechanisms of distribution of state support (subsidies, grants, guarantees, preferential loans) to entrepreneurship entities allow for its inefficient and inappropriate use.

The four-tier system of state audit and financial control bodies, which overlap to a large extent, does not allow for the prevention of corruption in the budget process.

At the same time, the current mechanism of privatization and transfer of assets in a competitive environment is rather closed, does not exclude conflicts of interest and allows the acquisition of objects for a price that does not correspond to market value.

The lack of sufficient legal regulation of the institution of public control and the closed nature of the data limit the possibility for citizens to participate directly in decision-making.

5. The fight against corruption is a global process, and international cooperation is becoming increasingly important. In this context, which international organizations does the country plan to increase cooperation with in the future?

The Republic of Kazakhstan represented by the Agency is a member of the Council of Europe GRECO of the International

Association of Anti-Corruption Agencies (IACCA, Beijing), the OECD Anti-Corruption Network for Eastern Europe and Central Asia (OECD ACN), the Asian Development Bank and OECD Anti-Corruption Initiative for Asia and the Pacific (Manila), International Anti-Corruption Academy (IACA, Laxenburg) and the CIS Interstate Council on Combating Corruption (CIS ICCC, Minsk).

The Agency's representatives actively participate in the annual meetings and other events of these organizations.

6. What is your opinion of the anti-corruption reforms undertaken in Uzbekistan in recent years?

Uzbekistan's experience draws attention to the strengthening of the protection of the rights and interests of citizens, the inviolability of private property, ensuring the inevitability of punishment, increasing the effectiveness of the anti-corruption system, especially with regard to eliminating domestic corruption, establishing strong links with international non-governmental organizations and establishing effective information exchange with them on the reforms and measures being implemented.

International experts have recognised the effectiveness of many initiatives voiced by President Mirziyoyev. Namely:

- transformation of the system of state administration;
- introduction of the practice of approving state development programmes with a long-term perspective and coordination of their implementation;
- combating corruption in HEIs and increasing salaries in education;
- tax reform (reduction of the tax burden, simplification of the tax system, improvement of tax administration);
- liberalization of the customs and tariff policy;
- intensification of the development of electronic government services, and others.

Also, international experts assess positively the efforts to eradicate domestic corruption, the introduction of income declarations for civil servants, the use of cameras in passport offices and on roads, and the simplification of document issuance.

In general, Uzbekistan's and Kazakhstan's anti-corruption policies are similar in many respects. Uzbekistan has introduced progressive instruments that can be implemented in Kazakhstan as well.

7. What measures are aimed at strengthening the role of civil society institutions in this field?

The mechanisms for implementing public control will not be limited to the activities of public councils.

In this line, the adoption of the Law "On Public Control" that will give tangible contours to this institution as an alternative to state control is important.

Effective public monitoring of the projects implemented at the expense of the state budget and the National Fund of the Republic of Kazakhstan will be introduced.

Publicity of information about the decisions of the state bodies will promote a constructive dialogue with the civil society and eliminate the need for unnecessary contacts of the population with officials.

The functions of public councils of state bodies and quasi-public sector entities should be objectively reviewed in terms of strengthening their role in the prevention of corruption.

Broad involvement of journalists and other representatives of mass media in combating corruption would help to strengthen the active citizenship of Kazakhstan.

It is necessary to promote the fullest use of.

8. Can you point to reforms that have had a positive impact on preventing corruption in business and the private sector?

To date, Kazakhstan is actively developing the institution of anti-corruption compliance, so in accordance with paragraph 3 of Article 16 of the Law "On Combating Corruption" (hereinafter – the Law), structural units that perform the functions of anti-corruption compliance services are determined in the subjects of the quasi-public sector, whose main task is to ensure compliance of the relevant organization and its employees with the legislation of the Republic of Kazakhstan on combating corruption.

According to the latest amendments to the Law, which entered into force on 1 January 2022, "the anti-corruption compliance service shall exercise its powers independently from the executive body, officials of the subject of the quasi-public sector and shall be accountable to the board of directors, supervisory board (if any) or other independent body".