



CORRUPTION IS A THREAT TO NATIONAL SECURITY

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Annotation

This article describes the legal framework for combating corruption, its negative aspects in society, the initiatives of President Sh.M. Mirziyoyev to prevent corruption, as well as proposals to prevent corruption.

Keywords: Republican Interagency Commission on Combating Corruption, inevitability of liability, anti-corruption authority, bribery.

Introduction

From the first days of independence, Uzbekistan has been pursuing a targeted anti-corruption policy, which comprises improving the legal framework, including the institutional framework, and strengthening international cooperation in this area. One of the most important tasks facing the world today is to fight corruption, which undermines the foundations of public administration and the economy. In order to make the Republic of Uzbekistan one of the developed countries it is important to fight corruption in all spheres of the state's life and society, to raise the legal awareness and culture of the population, to form an uncompromising attitude to corruption in society.

The President of the Republic of Uzbekistan Sh.M. Mirziyoyev in his speech which is at the solemn meeting dedicated to the 24th anniversary of the adoption of the Constitution on December 7, 2016, emphasized that: "Another risk that hinders the development of society is corruption. To combat this threat, we need to take steps to implement the Anti-Corruption Law, which was recently passed by the Legislature and sent to the Senate." ¹

In addition, on the initiative of President Mirziyoyev, the country has adopted legislation in the field of anti-corruption, including the Law of the Republic of Uzbekistan "On Combating Corruption", which created a legal framework in this area.





Furthermore, the Decree of the President of the Republic of Uzbekistan "On measures to implement the provisions of the Law of the Republic of Uzbekistan" On Combating Corruption "dated February 2, 2017 No PP-2752 2017 The State Anti-Corruption Program for 2018 has been approved.

In accordance with this Resolution and the Program with the aim of ensure the effective implementation of the provisions of the Law of the Republic of Uzbekistan "On Combating Corruption", timely and quality implementation of measures to prevent corruption in all spheres of society and state life The Republican Interagency Commission on Combating Corruption has been established.

The main tasks of this Commission are:

- Organizing creation and implementation of state and other programs in the field of anti-corruption;
- Coordinating and cooperating with anti-corruption bodies and organizations;
- Organizing creation and implementation of measures to raise the legal awareness and legal culture of the population, the formation of an intolerant attitude to corruption in society;
- Ensuring the effectiveness of measures to prevent, detect, curb corruption offenses, eliminate their consequences, as well as the causes and conditions that allow them;
- Collection and analysis of information on the state and trends of corruption;
- Monitoring the implementation of anti-corruption measures, assessing the effectiveness of existing organizational, practical and legal mechanisms in this area;
- Preparation of proposals to improve anti-corruption legislation and work in this area;
- To coordinate the activities of regional interdepartmental anti-corruption commissions.

For the sake of strengthen parliamentary control in the fight anti corruption, by the initiative of the President of the Republic of Uzbekistan, in March 2019, committees on combating corruption and judicial issues were established in the chambers of the Oliy Majlis of the Republic of Uzbekistan.

At the same time, on May 27, 2019, the President of the Republic of Uzbekistan approved the "State Program on Combating Corruption for 2019-2020", moreover "On measures to further improvement the anti-corruption system in the Republic of Uzbekistan" Decree PF-5729 was adopted.

The main purpose of the decree is to ensure the timely detection of corruption offenses, their elimination, their causes and conditions, the principle of inevitability of liability for corruption offenses in the fight against corruption and international cooperation. .





The decree provides for the gradual introduction of a system of declaration of property and income of certain categories of civil servants, as well as the pilot implementation of the project "Sector without corruption" in the field of capital construction and higher education. The decree established a special commission to develop measures to increase the effectiveness of anti-corruption activities.

In order to ensure the implementation of the State Program to Combat Corruption in 2019-2020, it is desirable to introduce the digital economy in the activities of all government agencies widely. The introduction of this advanced technology into the economy will ensure effective cooperation of the state with the population and business, as well as eliminate the shadow economy, that is, all information and data in the field of economics will be open to all.³

At the stage of development of society, corruption was initially assessed as a negative phenomenon directed against the fundamentals of the economy. At the same time, if the development of preferences for certain economic entities, tax evasion, the creation of an uncontrolled (ie non-taxable) secret economy and so on, corruption in today's state is not only the basis of the economy, but also is assessed as a criminal incident against the normal functioning of the bodies of power, administration and public associations.

It should be noted that in accordance with the UN Convention against Corruption (Article 6), States Parties are committed to combating corruption, including the implementation, monitoring and coordination of anti-corruption policies, as well as raising awareness and educating the public to prevent corruption. They must provide the anti-corruption authorities with the necessary independence to carry out their duties effectively without excessive influence. They should also be provided with the necessary material resources and specially trained personnel, including the training of such personnel to carry out their duties. They are the main criteria for specialization. "The OIC OIC Anti-Corruption Network for Eastern Europe and Central Asia, given to Uzbekistan during the fourth round of monitoring within the framework of the Istanbul Anti-Corruption Action Plan, recommends that the bodies responsible for coordination and monitoring of anti-corruption policy and must have financial resources.

The most common form of corruption is bribery. Bribery is a term used to describe three independent official crimes against the laws of government and public associations – to giving of a bribe, offering of a bribe or mediating in bribery. Any aggression listed in respect of these interests may not be committed as an act that has not been related to another crime. As a result, they are so interconnected that the absence of a bribe excludes the fact of bribery.





Like all other crimes against the order of the authorities, public administration and public associations, bribery encroaches on the normal functioning of the public apparatus of government, which consists of state bodies and officials.

The social danger of this crime is explained by the fact that bribery drastically changes the established procedure for officials to exercise their official powers, thereby grossly violating the interests of the civil service. Bribery is a relatively common and unique criminal phenomenon that undermines the foundations of power and governance, tarnishes its image in the eyes of the people, and infringes on the legitimate rights and interests of citizens.

In his address to the Oliy Majlis of the Republic of Uzbekistan on January 24, 2020, the President of the Republic of Uzbekistan emphasized that, in addition to analyzing the effectiveness of anti-corruption reforms, we will not be able to achieve our goals until we are vaccinated with the “honesty vaccine”. We must try to prevent the effects of corruption early on. Time itself suggests the creation of a separate anti-corruption body accountable to parliament and the president to organize the systematic implementation of these tasks.

"The effectiveness of our reforms today largely depends on four key factors: the rule of law, the fight against corruption, to increase institutional capacity, and the formation of strong democratic institutions."

“The renewed policy of the new Uzbekistan is based on such lofty ideals as the promotion of human dignity, the unconditional rule of law and justice in society. Unfortunately, a number of factors and shortcomings which negatively affect the effectiveness of reforms in this area and hinder development have been remaining. Undoubtedly, one of them and the most dangerous factor is corruption.”⁵

Thus, in order to prevent the danger of corruption, it will possible to to achieve the noble goals of comprehensive reforms in our country not taking into consideration its consequences, but by the establishment of a special competent body that takes into account the root causes, possible causes and conditions..

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