

Mechanisms for Identifying and Assessing Corruption Risks in Public Administration

Ahmadjonov Murodullo Nurali ogli
Assistant Prosecutor

Abstract

This study explores mechanisms for assessing and mitigating corruption risks in Uzbekistan, highlighting digitization, public oversight, and governance transparency. Acknowledging corruption as a major obstacle to progress, the government emphasizes openness and systematic information disclosure while key measures include mandatory annual and quarterly reports on corruption risks from state bodies and enhanced transparency in public procurement. The establishment of the Anti-Corruption Agency is crucial for ensuring compliance with international conventions like the UN Convention against Corruption. The study also outlines initiatives to boost public participation in governance, raise awareness about corruption, and integrate anti-corruption education into curricula. These efforts are essential for addressing corruption practices and risks while Promoting freedom of information and effectively managing corruption-related reports is vital for building public trust and strengthening governance frameworks.

Keywords: Public Participation, Corruption-Related Reports, Mechanisms, Digitization, Legal Norms, International Standards, Programmatic Measures, Transnational Crime

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I.Introduction

It is obvious that corruption poses significant challenges to the effective functioning of public administration and the socio-economic development of any nation across the globe. By recognizing its detrimental impact, Uzbekistan has prioritized the implementation of robust anti-corruption mechanisms across all sectors of governance, in this regard; consistent efforts are being carried out to establish systems for evaluating corruption risks within state bodies and organizations, ensuring transparency, and bolstering accountability. As the country strives to combat corruption comprehensively, there is a growing emphasis on digitizing processes, enhancing public oversight, and creating mechanisms to identify, assess, and iron out corruption-related crimes and their root causes.

These initiatives that aim to improve transparency and openness of state bodies, guarantee freedom of access to information, and actively involve the public in governance and this paper examines the measures being undertaken in Uzbekistan to strengthen anti-corruption activities, consisting of honing oversight mechanisms, publishing socially significant information, and increasing transparency in public procurement, and it explores the role of the Anti-Corruption Agency in fostering accountability and promoting a culture of openness within state institutions. By addressing these initiatives, the paper underlines the country's commitment to eliminating corruption and ensuring effective governance (D.M.Aritonang, 2017).

Further and even more importantly, this paper explores the current landscape of corruption prevention in Uzbekistan, highlighting existing gaps in the legal framework and proposing actionable recommendations to intensify the fight against corruption in public administration. By finding a solution to these challenges, Uzbekistan can pave the way for more transparent and accountable governance, ultimately reinforcing greater public trust and participation in the democratic processes as public administration operates as the backbone of any government, responsible for implementing policies and delivering services to citizens while Identifying and assessing corruption risks is critical for designing and implementing effective anti-corruption strategies (Sandra Marcelline, 2021).

It is no secret that corruption is a dangerous factor that results in catastrophic ramifications in the development of any state and society. It is a complex socio-political and economic phenomenon that poses an unprecedented threat to all countries meaning this factor slows down the development of states, causes government systems to fail, and undermines democratic institutions and adversely affects electoral processes and inflicts significant harm on the rule of law. Moreover, under its influence, citizens lose trust in social justice, and truth in government institutions, which is because combating this crime is one of the most urgent issues for any society and today, no country, regardless of its size, wealth, power, or influence, can claim to be corruption-free country.

Corruption, today, is considered a boundless disaster and negative affliction that obstructs the development of societies and states on a global scale, as well as social, economic, and moral progress. As noted by the President of the Republic of Uzbekistan, Sh. Mirziyoyev: “If we do not prevent corruption, it will be impossible to create an investment and genuine business environment, and in general, no sector of society will develop” as crimes related to corruption erode the public’s trust in state institutions and hinder the development of the state.

II.Methodology

This study employs a multi-faceted approach to analyze and address corruption-related crimes in public administration, constituting legislative review, policy evaluation, and comparative analysis as well while the methodology of this paper is responsible for analysis of legislative frameworks, evaluation of current practices, comparative analysis, stakeholder engagement, proposal development and just to name a few. Throughout an all-around review and analysis of prevailing legal measures to combat such a pervasive crime, this paper focus on enhancing a comprehensive understanding and handling initiatives of corruption along with corruption risks, their significant nuances, and the methods that can be utilized to modify legislation in the realm of fighting against corruption. Further, these aforementioned approaches help us attain a thorough exploration of the subject matter, providing invaluable insights into the understanding of catastrophic ramification of unlawful corruption practices, and making a considerable contribution to further understanding of assessing mechanisms, identifying, and eliminating corruption and corruption risks in state governance.

III.Results

To some extent, the overwhelming majority of the population of some countries has become a victim of corruption and illegal actions that have stemmed from a weak public government and loopholes in legislation on the whole (Transparency International, 2021). In turn, it urges us to take decisive actions that can curb corruption and prevent it in advance. That is my firm conviction that the measures, which are fundamental importance for implementing appropriate mechanisms to combat corruption, foster a culture of zero tolerance toward corruption and improve state governance through transparency, accountability, and public participation, make up key points below and act as a catalyst for the growth of democratic society.

Improving access to clear and easily understandable information about the state budget, contracts, and public procurement processes while actively promoting transparency in state administration and other organizations is essential. Developing and implementing a law to ensure the rights and freedoms of individuals who report corruption-related offenses, providing them with protection and financial incentives, are crucial for fostering accountability. Additionally, measures should be taken to further improve the functioning of digitalized public services, increasing the efficiency of bureaucratic procedures. Promoting ethics and integrity in public service by

instilling accountability and a culture of honesty among public officials through ethical codes of conduct and guidelines is fundamental (Cardellini Leipertz, 2024). Furthermore, enhancing legal literacy among future generations by embedding the principles of ethics, transparency, and accountability into educational institutions is vital for building a more responsible society (Bakhramova, M., 2024). The above proposals not only serve as effective mechanisms for identifying corruption risks in public administration but also play a critical role in preventing and combating corruption and corruption risks on the whole.

IV. Discussion

In developing anti-corruption policies, international organizations (UN, Transparency International, OECD, OSCE) and the governments of many countries are increasingly focusing on approaches that can assess corruption risks as assessing corruption risk is one of the effective preventive mechanisms in the fight against corruption and a way to ensure that the measures developed against corruption correspond to actual corruption schemes, however, there is no single method that allows for a systematic assessment of corruption risks on the whole. From the very first days of independence, insufficient attention has been paid to anti-corruption efforts, primarily limited to the state's accession to several international agreements, without creating effective systemic mechanisms aimed at preventing corruption or implementing the experiences of foreign advanced countries in combating this affliction, but necessary measures related to legally regulating anti-corruption activities were not taken.

In this regard, the Republic of Uzbekistan joined the UN Convention against Corruption (New York, October 31, 2003) through Law No. 158 dated July 7, 2008, additionally, in 2010, it became a member of the Istanbul Action Plan of the Organization for Economic Cooperation and Development's (OECD) anti-corruption network. After Shavkat Mirziyoyev was elected President of the Republic of Uzbekistan, several laws and normative documents were adopted in the field of combating corruption, marking the beginning of a new era in the fight against corruption. In particular, on January 3, 2017, Law No. 419 "On Combating Corruption" was adopted in the Republic of Uzbekistan and this law established the priority directions of state policy in the fight against corruption and regulated anti-corruption activities, which were legally defined.

At the same time, a number of normative-legal documents were adopted to implement the aforementioned law, in particular, by Decree No. PF-5729 of May 27, 2019, the "State Program for Combating Corruption for 2019-2020" was approved, which aimed to develop measures to increase the effectiveness of activities in the field of combating corruption and established a special commission with designated primary tasks. This decree became the first basis for bringing the assessment, identification, and prevention of corruption risks to a legislative level in the Republic

as a whole. In addition, on June 30, 2020, our President adopted Decree No. 6013 “On Additional Measures to Improve the System of Combating Corruption in the Republic of Uzbekistan.” At the same time, on June 30, 2020, the decision of the President of the Republic of Uzbekistan on “Establishing the Activities of the Anti-Corruption Agency” was adopted. Particularly, the adoption of this decision was one of the initial steps taken to eliminate corrupt criminal offenses and develop effective measures and actions against them.

It is important to define what state governance means: Various opinions on state governance have been proposed by several scholars up to the present time, in particular, according to Professor E. Khojiev, in some cases, the activity of state and state-administration subjects is manifested beyond legislation and fair judicial activities. At the same time, according to Y.N. Starilov, state governance is organized for the purpose of implementing executive authority, from an organizational perspective, state governance is considered the influence of governance subjects (the state, state organs, and officials) on the governance object (society and citizens). To put it more precisely, state governance is the activity of executive authority organs that implement state governance functions in various fields based on the law and aimed at its implementation, which includes legislative and executive orders and regulation.

Additionally, according to legal scholar G.V. Atamanchuk, governance is a systematic process aimed at organizing and regulating social life activities consciously by individuals in a predetermined manner, which takes the form of self-governance and involves specially organized bodies and structures; likewise, it is applied through state governance organs and public associations. In order to prevent corruption in public administration, state authorities are tasked with implementing their functions and developing a new system for assessing and mitigating corruption-related risks. According to the Development Strategy of New Uzbekistan for 2022-2026, measures are outlined to enhance anti-corruption efforts. These include the mandatory identification and assessment of corruption-related risks in the activities of state administration bodies, their regional divisions, and state-owned enterprises and institutions. To systematically address these risks and the results of their assessments, an "Electronic Registry of Corruption-Prone Relations" will be established and monitored.

Additionally, legislative documents will be improved to enhance the identification of corruption-related risks, minimize human factors, and digitize relevant procedures and functions. The levels of identification and assessment of corruption-related risks in public administration will be implemented at low, medium, and high scales. In addition, the goals for assessing and identifying corruption-related risks in state organizations include: identifying the positions and functions most susceptible to corruption risks, compiling a list of positions with high corruption risks, and developing measures to mitigate these risks, this decision aims to develop and implement the following regarding the identification and assessment of corruption-

related risks:

- A roadmap for the identification and assessment of corruption-related risks;
- A program for combating corruption;
- A list of positions with high corruption risks in public administration;
- An electronic registry of corruption-prone relations.

We can understand the content of the terms mentioned in this decision developed by the Agency and the Ministry of Justice as follows; in this law, the term "corruption" has been changed to "corruption-related risk" in a manner different from definitions given by international organizations and scholars. Specifically, corruption-related risk is defined as the probability of engaging in corrupt actions under illegal circumstances aimed at personal gain or the gain of others based on one's official position or service. It should be noted that the complete development of aforementioned map and its practical application in identifying and assessing corruption-related risks in public administration will serve as a key tool in this area and we can understand the concept of assessing corruption-related crimes.

This method involves independent monitoring and audits of government financial actions and operations closely related to them, carried out to identify corrupt realities while it helps in identifying errors, shortcomings, and violations of law in the discussion of state revenues, budgets, and other financial activities. Additionally, the extent of their objectivity and transparency is crucial in identifying and addressing corruption-related crimes as monitoring the decisions being made and ensuring their legitimacy is very important to prevent corruption, in turn, these processes assist in the comprehensive implementation of preliminary analyses regarding the assessment of corruption-related crimes.

Through this method, we can gain a general understanding not only within our country but also globally regarding the identification of corruption-related crimes. For instance, we can see the level of corruption-related risks present in various countries through Transparency International's Corruption Perceptions Index. Uzbekistan, in turn, ranked 121st-place (33 score) among 180 countries in 2023, meaning our country has been trying its best to curb and root out corruption. Through the methods mentioned above, we will acquire sufficient skills in identifying and assessing corruption-related risks. Additionally, if we look at the indicators used by developed and developing countries to assess corruption, we can understand how these index indicators inform us about the measures being taken at the state level to identify and assess corruption-related risks.

If we evaluate corruption from a theoretical perspective, corruption is not a singular crime with a unique structure, in our national criminal legislation, it is not just about corruption itself but rather the accountability conditions for crimes related to corruption that are considered, this, in turn, indicates that corruption is a combination of several crimes. Furthermore, on July 6, 2021, Presidential Decree No. PF-6257 was

adopted regarding “Creating an Environment for a Zero-Tolerance Approach to Corruption, Sharply Reducing Corruption Factors in State and Society Management, and Expanding Public Participation in This Process” that outlined priority tasks in the fight against corruption on the whole.

It is worth noting that in the Presidential Decree dated January 28, 2022, titled “On the New Development Strategy of Uzbekistan for 2022-2026,” several objectives for preventing corruption were also established, specifically, these included eliminating corruption factors in state management, implementing a selection process based on merit for hiring personnel and continuously evaluating their performance, developing effective systemic mechanisms to prevent conflicts of interest in public service, and emphasizing the necessity of expanding public oversight and ensuring transparency in anti-corruption efforts. In the 84th objective of this decree, it was highlighted that identifying sectors and areas prone to corruption, improving the effectiveness of the system for preventing corruption-related factors and causes, and fostering a zero-tolerance attitude towards corruption among members of society were emphasized.

Looking at the Transparency International Corruption Perceptions Index, we can observe that the measures being implemented by the Republic of Uzbekistan to combat corrupt crimes and prevent such offenses are yielding results. For instance, in 2019, our country ranked 153rd with a score of 25 points; as of 2020, it improved to 146th place with 26 points; by 2021, it reached 140th place with 28 points; and based on the index for 2022, it achieved 126th place with a score of 31 points, as of 2023, it secured 121st place among 180 countries with a score of 33 points.

We, today, encounter several problems and shortcomings related to existing legislative documents and their practical implementation, certainly, unless we address the errors and shortcomings in these laws regarding the fight against corrupt crimes and the prevention of such offenses, we will not achieve our goals in combating corruption. Specifically, if we harmonize the emerging errors and shortcomings in our national legislation not only in a primitive manner but also by incorporating the experiences of developed countries into our national laws and develop a systematic mechanism to ensure their implementation and oversight, we will only then achieve our intended goals.

After all, the indicators being publicly announced regarding corruption globally serve as a reflection of a country's democracy and development on the whole. The Resolution of the President of the Republic of Uzbekistan, adopted on May 11, 2022, “On Measures to Improve Mechanisms for Eliminating Corruption Risks in Public Administration and Expanding Public Participation in this Area” introduces the standard (vaccine) of integrity in public administration as an important tool for preventing corruption. Based on this resolution, the role of the aforementioned integrity vaccine is of particular importance in mechanisms for detecting and preventing corruption-related crimes in public administration. Further, we often

encounter corruption crimes in public administration in political finance, and these types of crimes include, specifically: misuse of public funds and bribery. These mentioned crimes are frequently encountered in the management of government agencies, enterprises, and organizations in general. To prevent these types of crimes and to implement appropriate measures against them, it is deemed necessary to develop an effective mechanism.

According to the United Nations and the International Monetary Fund, the global economy incurs losses of up to \$1.5–2.6 trillion annually due to this scourge; consequently, the international community is taking decisive action against it on a large scale (Van Genugten, 2019). In this regard, several international documents have been adopted, including:

- The United Nations Resolution on Combating Corruption (1995);
- The International Code of Conduct for Public Officials (1996);
- The Declaration on Combating Corruption and Bribery in International Commercial Transactions (1997);
- The United Nations Convention against Transnational Organized Crime (2000);
- The United Nations Convention against Corruption (2003), among others.

In our country, systems and mechanisms for assessing corruption risks in the performance of tasks and functions assigned to state bodies and organizations are being consistently implemented to further improve their anti-corruption activities. At the same time, it has become necessary to strengthen and improve the processes of digitizing mechanisms and establishing effective public oversight and environments in relevant areas for identifying, assessing, and eliminating corruption-related crimes and their causes in the context of Uzbekistan. This makes up ensuring the openness and transparency of the activities of state bodies and organizations, guaranteeing freedom of access to information, and developing mechanisms to enhance public oversight.

To achieve these goals, the following measures are being undertaken in our country. It has been emphasized that all state authorities and administrative bodies, including the Accounting Chamber, Central Bank, judiciary, prosecutor's office, law enforcement agencies, and their structural and territorial divisions, along with state unitary enterprises and economic entities with a state share of 50% or more, must disclose relevant information to foster robust public oversight mechanisms to combat corruption-related offenses. Relevant government agencies, including the Anti-Corruption Agency and the Ministry of Justice, in cooperation with other ministries and agencies, regularly provide proposals to expand the scope of socially significant information that should be disclosed as open data by state bodies and organizations. This includes analyzing systemic corruption-related issues in public administration and proposing necessary measures. Furthermore, based on these approaches, mechanisms for identifying and eliminating corruption-related crimes in public administration require that, by March 1 of each year, state bodies and organizations

publish their reports on their official websites.

Starting from July 1, 2021, mechanisms for identifying corruption-related crimes in state bodies have been developed, requiring quarterly updates on the Open Data Portal of the Republic of Uzbekistan. In this regard, this accounts for ensuring transparency regarding state procurement, including direct contract procurements of goods, works, and services on the whole. It is worthwhile to note that the Anti-Corruption Agency has specific tasks and responsibilities in developing and implementing mechanisms for identifying and addressing corruption risks in public administration.

These responsibilities include coordinating and conducting continuous monitoring to ensure transparency and openness in the activities of state bodies and organizations, as well as maintaining records of their obligations to publish information specified by regulatory legal documents on their official websites. They also involve assisting in the development and implementation of measures to establish effective public oversight through mass media over the activities of state bodies and organizations, addressing pressing issues related to transparency and openness arising from citizens' and legal entities' appeals by submitting them for nationwide discussion through the "My Opinion" web portal, and developing, enhancing, and regularly updating proposals for the list of socially significant information to be published as open data while assisting in their implementation. Additionally, these responsibilities include organizing explanatory work through mass media to instill a culture of openness, transparency, and accountability among employees of state bodies and organizations and ensuring the accountability of state bodies and officials to the public.

The above obligations and measures implemented by the Agency play a crucial role in developing and applying mechanisms to identify and eliminate corruption risks in public administration and other state bodies. Further, the state government and responsible state bodies must take constantly appropriate measures to prevent and eliminate corruption-related crimes in governance and develop systemic mechanisms for these purposes. Moreover, within its capabilities and based on the core principles of its internal legislation, the state adopts measures to address corruption cases and combat such crimes. This also includes assisting civil society, non-governmental organizations, public associations, individuals, and groups in raising awareness of corruption, its causes, risks, and threats.

These measures contribute to developing mechanisms for identifying and eliminating corruption-related crimes, increasing public involvement in their creation and application, and encouraging citizens' participation in decision-making processes to enhance transparency. They also ensure reliable and timely public access to information, promote intolerance towards corruption through information dissemination and practical actions, and support public education programs by integrating anti-corruption topics into school and higher education curricula.

Additionally, these measures uphold and protect the freedom to search for, receive, and disseminate information about corruption through mass media while improving the efficiency and capability of handling anonymous reports related to corruption crimes.

The development and application of these practical and theoretical measures not only establish mechanisms to combat and prevent such crimes but also enhance the population's legal awareness in this realm, this, in turn, improves the efficiency of governance mechanisms. Here, we must emphasize that by effectively implementing a system for assessing corruption risks in public administration, we can achieve desired results such as ensuring the proper execution of public officials' duties and functions, increasing public trust in government agencies, and achieving the targeted expenditure of the state budget. This, in turn, works in favor of society, while assessing corruption risks helps us control and maintain order within the internal procedures of their respective agencies and ultimately avoid responsibility for the consequences arising from corruption-related situations.

Similarly, there are several international mechanisms and standards concerning the risk assessment approaches and processes for preventing corruption risks in public administration. They differ in content and scope. Particularly, certain guidelines and approaches developed for eliminating corruption risks in public administration include the following five similar and identical stages that must be encompassed in this process:

- Situation identification;
- Risk identification;
- Risk analysis;
- Risk assessment, and addressing the identified risks in an appropriate and correct manner.

The approaches (methods) for assessing corruption risks mainly cover the aforementioned stages. It is worth noting that in the country's administration, the identification and prevention of corruption risks are not based on a fixed set of rules, but rather, the stages and structures of some approaches may vary widely. Currently, a number of measures are being implemented at the local and global levels to prevent corruption risks in public administration, however, the practical measures being implemented show that there are still shortcomings and flaws in the system in this realm. In particular, to eliminate the factors that create conditions for corruption risks in public administration and to develop effective measures against them, I believe that it would be appropriate to consider the following proposals and suggestions.

To prevent corruption risks in public administration, it is essential to promote the integrity, honesty, and responsibility of officials based on the fundamental principles of the national legal system and other ethical virtues. Enhancing the effectiveness of the professional code of conduct for public officials is crucial to

ensuring that they perform their duties correctly, conscientiously, and appropriately. Additionally, developing a mechanism that enables officials to report corrupt acts discovered during their duties to the relevant authorities is necessary, along with the introduction of disciplinary, administrative, and criminal liability for failing to report such crimes. From a broader perspective on corruption prevention, measures should be taken to establish and improve procurement systems in public administration that are based on transparency, competition, and objective decision-making criteria. Furthermore, it is important to regulate matters concerning employees responsible for public procurement by setting professional training requirements for these individuals and ensuring continuous monitoring of their activities.

It is necessary to thoroughly study the mentioned situations, apply them in practice, and develop a system for monitoring their implementation. In addition to the proposals outlined above, preventing corruption risks in public administration and developing effective countermeasures require increasing accountability in state budget management. Key actions include establishing clear procedures for approving the national budget, ensuring the regular and timely submission of reports on revenues and expenditures, strengthening transparency in accounting and auditing standards and related controls, improving an effective risk management and internal control system for the state budget, and developing a framework for civil, legal, and administrative liability measures. These measures should align with the fundamental principles of domestic legislation to ensure the preservation of accounting records, electronic databases, financial documents, and other materials related to state expenditures and revenues.

It is worthwhile to note that preventing and rooting out corruption risks and corruption itself is one of the most pressing dilemmas and main tasks of the state, and to ensure the effectiveness of efforts in this area, it is intended that cooperation and interaction with individual persons and groups outside the public sector, operating on the basis of civil society and non-governmental organizations, will be implemented to prevent and evaluate corruption and corruption risks in state governance. To eliminate corruption risks and to develop effective measures against them, we can see that the role and tasks that are not only of state organizations, but also of non-governmental and non-profit organizations are of particular importance in promoting justice, responsibility, and equality, as well as in helping to form an environment that rejects corruption. Corruption-related crimes are also frequently observed in political finance, which consists of misuse of public funds, entrusted or special power for private gain or bribe by those who hold political power in a particular public or private sector (Allah Rakha, 2023). Such crimes are commonly encountered in state institutions, enterprises, organizations along with public and private sectors as a whole. To prevent and address these corruption-related crimes and risks, it is absolutely important to develop effective mechanisms that focus on the following.

A. Shortcomings in Current Legislation and Practice

When analyzing the existing mechanisms in the legislation, the gaps and deficiencies hinder efforts to prevent and combat corruption-related crimes in public administration. Shortcomings, in turn, account for limited focus on prevention that Uzbekistan's approach to anti-corruption has traditionally focused more on punishment rather than prevention, which is because there is an urgent need for more preventative measures such as ethical training for public officials, better systems for detecting and preventing conflicts of interest, and more effective internal controls within government institutions while inadequate public sector reforms have been implemented to reduce corruption risks in specific sectors (such as public procurement), there is still a need for sweeping public sector reforms, in particular, improving the salaries and job perspectives of public officials could lessen the incentives for corrupt practices.

B. Lack of a Unified System

There is no integrated program to evaluate and analyze corruption-related crimes, including identifying and assessing corruption risks in public administration, politics, and state programs where such cases frequently arise as one significant challenge in Uzbekistan's fight against corruption is the lack of a unified system for preventing and assessing corruption across various sectors. Notwithstanding the existence of anti-corruption laws and initiatives, there is no centralized framework that coordinates efforts or ensures consistency in implementation, meaning different government bodies and agencies tackle corruption in isolation, leading to inefficiencies and gaps in oversight, which makes efforts to prevent corrupt practices can be inconsistent and inadequate, as various agencies may have overlapping or unclear responsibilities. Without a centralized database or standard mechanisms for reporting and tracking corruption cases, it becomes harder to assess the effectiveness of anti-corruption policies or identify systemic issues as the lack of regular and sweeping assessments also hampers the government's ability to deal with corruption hotspots and make necessary adjustments to existing strategies (L.Carter, F.Bélangier, 2005). While more integrated, coordinated approach is needed, one that ensures consistent enforcement of anti-corruption approaches, fosters collaboration between agencies, and allows for systematic monitoring and evaluation.

C. Inadequate Protection for Whistleblowers

The legal framework lacks effective laws and norms to enhance the rights and freedoms of whistleblowers and eliminate their fear of retaliation, which is why to some extent legislation in Uzbekistan does not provide adequate protection for whistleblowers who report corrupt practices as individuals, without strong protections, are hesitant to come forward with information concerning corruption for fear of retaliation, such as loss of employment or personal safety threats without strong protections. Inadequate protection, in turn, for whistleblowers remains a significant obstacle to prevent and address corruption. While our country has taken some steps toward anti-corruption reforms, there is still a lack of comprehensive legal safeguards

for individuals that often face significant risks mentioned earlier. The absence of strong legal frameworks and institutional support systems means that whistleblowers have limited recourse if they face retaliation. While some laws provide whistleblowers with the legal protection in certain context, these protections are often not well-enforced or are insufficient to ensure genuine safety, meaning this undermines the effectiveness of anti-corruption efforts, as it discourages transparency and accountability on the whole.

D. Underdeveloped Analytical Tools

There is insufficient advancement in the analysis of state procurement data, financial transactions, and budget allocations, including the use of forensic accounting techniques to detect and eliminate corruption-related crimes. Our country's ongoing efforts to combat corruption face a significant challenge in its analytical tools. While the authority has implemented plethora of anti-corruption measures, the effectiveness of these initiatives is often hampered by the lack of sophisticated methods for identifying, analyzing, and predicting corrupt practices as the absence of robust data collection and analysis systems limits the ability of authorities to pinpoint corruption hotspots within government agencies and the private sectors.

It, without detailed insights into patterns and trends, becomes difficult to implement targeted interventions while the lack of advanced risk assessment models hinders proactive measures, often results in reactive responses after corruption has already occurred. The reliance on traditional, often manual, methods of investigation makes it challenging to detect complex schemes involving financial manipulation and other sophisticated corrupt practices. This situation is further compounded by limited access to relevant databases and the need for increased training for personnel involved in anti-corruption efforts as upgrading analytical capabilities is crucial for Uzbekistan to make meaningful strides in the fight against corruption, ensuring transparency, accountability, and good governance.

E. Limited Public Participation

Good governance relies not only on robust laws and institutions but also crucially on active citizen engagement which is not optional but it is essential, when citizens are excluded from evaluating and preventing corruption in government, this creates a space where corruption can thrive, eroding justice and transparency. In this regard, limited citizen involvement is evident in several ways, for example, government processes are often opaque, with restricted access to information about policies, spending, and decisions, this lack of transparency prevents citizens from scrutinizing government actions and spotting corruption as weak or absent feedback mechanisms hinder citizens from expressing concerns and contributing to anti-corruption strategies. Furthermore, inadequate whistleblower protection, as we pointed out above, leaves individuals vulnerable when reporting corrupt practices as the repercussions of this limited participation are significant as citizens lack power, corrupt officials can act with impunity, knowing their actions are unlikely to be

challenged, which is because, this lack of accountability normalizes corruption and breeds mistrust between the government and its people. While public funds intended for development are misappropriated, widening inequalities and hindering progress, public disengagement increases, making it harder to establish a culture of integrity as public participation is vital for combating corruption for several reasons that enhance transparency and accountability. Involving citizens in assessing government actions helps identify corruption earlier and more effectively because citizens, especially those who directly use public services, offer valuable perspectives that can expose systemic weaknesses while public participation encourages a sense of ownership and responsibility, fostering a culture that rejects corruption.

F. Slow Adoption of International Best Practices

Uzbekistan has shown a strong commitment to fighting corruption and has created national strategies to do so, however, progress is slowed down by the sluggish adoption of international best practices for evaluating and preventing corruption in public government on the whole. While our country - Uzbekistan is committed to reform, putting global standards into practice locally is often delayed, hindering the overall anti-corruption fight. In turn, this slow adoption has multiple causes constituting deep-rooted bureaucratic systems often resist change and adopting new risk assessment methods and technologies requires a significant departure from established practices, meeting resistance from those comfortable with older ways that we deployed in the past. In this regard, a lack of technical expertise also exists within government, making it difficult to understand and apply complex international standards effectively, this skill gap hinders the use of advanced data analysis, risk assessment, and citizen engagement tools that are considered international best practice.

Another issue is a cautious approach to adapting international models, while it is important, simply transferring practices without considering the local context itself can be problematic, that is because, a nuanced approach is required to tailor practices to Uzbekistan's legal, cultural, and political environment. In our mind, this adaptation needs technical knowledge as well as an understanding of local dynamics as weak monitoring and evaluation systems slow down the adoption process, without clear metrics to assess the effectiveness of reforms, it is vague to identify where progress is lacking and where changes are necessary. In this regard, this lack of oversight can mean ineffective measures remain in place, even when better international options exist while the consequences of this slow adoption are substantial it allows systemic weaknesses to continue, permitting corruption within public administration.

The lack of proactive risk assessments means vulnerabilities often go unnoticed, making the government reactive, rather than preventative, in its anti-corruption efforts, while this reactive approach is less effective, more expensive, and more likely to erode public trust, in turn, sluggish pace undermines international partnerships designed to assist Uzbekistan in its anti-corruption efforts. The outlined legislative and practical

gaps hinder the creation of an effective mechanism to identify, prevent, and address corruption-related crimes in public administration, nevertheless, ongoing systemic measures, corruption cases persist in areas such as the use of budgetary funds, state procurement, capital construction, obtaining licenses and permits, allocation of bank credits, and recruitment processes (Anticorruption Agency, 2021).

In this regard, it is essential to emphasize the following recommendations, which require a concerted effort to enhance the effectiveness of our rigid public administration policies. Strengthening analytical tools and evaluation systems for assessing corruption-related risks is crucial to improving governance. Ensuring robust legal protection for whistleblowers will enable them to report corruption without fear of retaliation. Developing comprehensive public engagement strategies will foster greater transparency and accountability in governance. Expediting the adoption of international best practices in anti-corruption mechanisms will further strengthen institutional integrity. Additionally, continuing systematic reforms to address corruption in sensitive areas such as state procurement and budget management remains imperative for sustainable governance improvements.

On June 29, 2020, the President of Uzbekistan issued Decree No. PF-6013, “On Additional Measures to Improve the System of Combating Corruption in the Republic of Uzbekistan.” This decree established the Anti-Corruption Agency to strengthen the country’s efforts in preventing and combating corruption. The agency is responsible for addressing the systemic causes and conditions that contribute to corruption-related offenses and enhancing the effectiveness of anti-corruption measures in both public administration and society at large. Its key functions include developing and implementing programmatic measures and recommendations in line with the OECD’s Istanbul Anti-Corruption Action Plan for Eastern Europe and Central Asia, monitoring the implementation of the United Nations Convention against Corruption and Uzbekistan’s other international anti-corruption commitments, and serving as the national coordinator in this field.

Additionally, the agency is tasked with collaborating with civil society institutions to develop a national index for measuring corruption levels across regions, economic sectors, and other domains, further enhancing the country’s efforts to combat corruption. Even more importantly, the phased implementation of the measures outlined in this Decree is of significant importance, including the gradual introduction of an anti-corruption compliance control system (“internal control”) in all state and economic management bodies, the establishment of the “E-Anticor.uz” electronic platform to monitor and evaluate the effectiveness of activities and programs undertaken by public authorities and governance bodies in combating corruption, and the development and introduction of a specialized mobile application to facilitate the reporting of corruption-related incidents.

An analysis of the practices of leading countries demonstrates that in market economies governed by the rule of law, one of the most effective tools for combating

corruption is the establishment of a compliance control system. This system ensures that the activities of both public and private sector participants align with international standards, legal frameworks, and modern methodologies. In the fight against corruption, compliance control serves as a preventive mechanism operating within state and economic management bodies as well as business entities. Organized in accordance with international standards, legal norms, and other regulatory documents, it aims to identify and eliminate corruption risks and conflicts of interest in a timely manner, ensure the reporting of corruption-related offenses, and establish legal frameworks for detecting and assessing corruption risks in public administration. Thus, compliance control acts as a proactive mechanism to safeguard against corruption and enhance the integrity and transparency of governance. It, in turn, absolutely important to point out some recommendations that we faced while doing a research:

G. Proposals for Improving Legislation

1. Legal liability of legal entities

Article 27 of the Law “On Combating Corruption” states, “Legal entities shall be liable for committing corruption-related offenses in accordance with the procedure established by law. However, Article 17 of the Criminal Code stipulates that only individuals of sound mind who have reached the age of 16 are subject to liability, therefore, the Criminal Code does not specify the liability of legal entities, which is why it is necessary to introduce a system into the Criminal Code that holds legal entities accountable.

2. Supreme court plenum resolution

To provide accurate legal assessments and impose just penalties for these types of offenses, it is necessary to adopt a resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan “On Court Practice Regarding Corruption-Related Offenses”, this resolution will ensure justice and law enforcement, reduce offenses, strengthen public trust in the government and judicial system, and contribute to economic growth.

3. Mandatory timelines for risk assessment

Article 19 of the Law “On Combating Corruption” (Measures to Prevent Corruption in Public Administration) should be amended to include specific timelines for identifying and assessing corruption risks in state governing bodies, private entities (where the state’s share is 50% or more), and the public sector, for example, such assessments should be conducted once every quarter which, in turn, will establish continuous monitoring of the identification and elimination of corruption-related risks.

4. Compliance control officers

It is necessary to establish the role of compliance control officers within state agencies, organizations, and non-governmental organizations to identify and assess

corruption-related risks, the appointment of these officers should be agreed upon between the head of the Anti-Corruption Agency and the head of the relevant institution, enterprise, or organization, their dismissal should only be initiated by the head of the Agency, and this should be included in the Agency's powers as outlined in Article 81 of the Law “On Combating Corruption” while this measure will strengthen the independence and objectivity of compliance officers, making corruption risk management more effective and targeted.

5. Methodology for Corruption Risk Assessment

After introducing a general provision on corruption risk assessment in the Law “On Combating Corruption” it is necessary to develop specific mechanisms for implementing this process. A review of the practices in South Korea, Moldova, and Slovenia shows that specific methodologies for assessing corruption risks in public administration are regulated by decisions of the President or the Cabinet of Ministers, thus, to improve legislation in this domain, it is necessary to submit a proposal to the Cabinet of Ministers to add some changes to the Decree of the President of the Republic of Uzbekistan No. PF-200 of November 27, 2023. In turn, the additions should specify: the principles of assessing corruption risks, the scope of application of the decision, the types and levels of corruption risks, and the factors that cause them. These regulations will serve as general principles for assessing corruption risks in public administration bodies.

It is highly advisable to express the rules regarding the assessment process in the following: the types of corruption risk assessment processes (mandatory or voluntary), the cases in which conducting corruption risk assessments is mandatory, clear assessment criteria, assessment methods (targeted, systematic, internal, or external assessment), the formation of a list of activities to be carried out in the process of identifying corruption risks (surveys, involvement of international experts or the public, analysis of reports, etc.), and the obligation to develop and implement countermeasures against the corruption risks identified during the process. At the same time, we must emphasize that after the rules regarding the process are established, it is necessary to delegate powers, define subjects, and develop organizational-technical rules to ensure its implementation, which is because it is important to define the timeframe for conducting corruption risk assessments in public administration and to designate the entity responsible for implementing the process, for example.

6. Restrictions on early release/reduced sentences for corrupt officials

When officials who have committed corruption crimes are brought to criminal liability, the norms of Article 73 (Conditional early release from serving a sentence) and Article 74 (Substitution of a lighter sentence) of the Criminal Code should not apply; restrictions should be placed on this.

7. Expanding the scope of bribery offenses

It is proposed to supplement Article 211 (Bribery) of the Criminal Code with the

words “promising to give a bribe”, “offering a bribe”, and “providing a bribe”, this will serve to ensure the inevitability of criminal liability for latent corruption cases.

H. Institutional Proposals

1. Sociological studies on officials’ unexplained wealth

Conduct sociological studies or investigations to identify the excessive profits and assets of officials in public administration, and develop the legal basis for such activities;

2. Protection of whistleblowers

Further improve the rights and freedoms of those who report corruption crimes;

Develop and implement effective laws and regulations that eliminate the fear of retaliation among whistleblowers;

3. Enhancing analytical and forensic accounting techniques

Improve the analytics and forensic accounting techniques and knowledge used in identifying and eliminating corruption crimes, especially in areas such as public procurement, money transfers, and the allocation of budgetary funds.

Conclusion

Corruption poses significant challenges to the effective functioning of public administration and the socio-economic development of any nation. By recognizing its detrimental impact, Uzbekistan has prioritized the implementation of robust anti-corruption mechanisms across all sectors of governance, in this regard, consistent efforts are being made to establish systems for assessing corruption risks within state bodies and organizations, ensuring transparency, and fostering accountability. The preceding analysis reveals a multifaceted approach to combating corruption in Uzbekistan, focusing on both legislative and institutional reforms. The core of the effort lies in the recognition that corruption is a pervasive issue that undermines public trust, hinders development, and requires a robust and multi-pronged response. The proposals presented highlight the need for a comprehensive system encompassing prevention, detection, and enforcement mechanisms in public administration.

As the country strives to combat corruption comprehensively, there is a growing emphasis on digitizing processes, enhancing public oversight, and creating mechanisms to identify, assess, and address corruption-related crimes and their primary causes, these initiatives aim to improve the transparency and openness of state bodies, guarantee freedom of access to information, and actively involve the public in governance. Furthermore, measures are being undertaken in Uzbekistan to strengthen anti-corruption activities and campaigns, including enhancing oversight mechanisms, bringing in whistleblowers’ rights mechanisms, publishing socially significant information, and increasing transparency in public procurement. By addressing these initiatives, it highlights the country’s commitment to eliminating corruption and

ensuring effective governance.

Ultimately, the insights gained from this analysis underscore the necessity for non-stop improvement and adaptation in anti-corruption strategies to effectively iron out the challenges posed by corruption in public administration. Running proactive risk management, carrying out effective controls in both the public and private sectors, consolidating the legal literacy of people, bringing in laws to protect Whistleblowers' security, their rights alongside providing them with monetary awards, make a colossal contribution to transparency, integrity of government, and improve the economy, unity, the effectiveness of laws, democracy, and public trust in state administration as a whole. Additionally, incorporating ethics and accountability into various facets of governance, education, and public administration is essential for fostering a culture of transparency, integrity, and trust.

From enhancing the efficiency of bureaucratic processes and protecting whistleblowers to fostering ethics in public service and education, the integration of ethical frameworks and accountability mechanisms ensures sustainable development and better service delivery while the success of these initiatives entails strong leadership, robust legal frameworks, technological innovation, and active citizen engagement. Countries that prioritize ethics and accountability have demonstrated improved public trust, reduced corruption, and increased greater societal harmony in terms of fighting against corruption communally. However, challenges such as resistance to change, cultural diversity, and limited resources require joint efforts among governments, institutions, and communities that foster ethics and accountability, building a foundation for resilient societies, effective governance, and empowered citizens, ensuring that systems and individuals act in the best interest of the public as a whole.

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