

**The General Prosecutor's Academy of the Republic of Uzbekistan**

**Faculty: The Fight Against Corruption**

**Dissertation for the degree of Master of Laws**

**Topic: ISSUES OF IMPROVING OF THE POSITION OF THE  
REPUBLIC OF UZBEKISTAN IN THE CORRUPTION PERCEPTION  
INDEX OF TRANSPARENCY INTERNATIONAL NON-  
GOVERNMENTAL ORGANIZATION**

**Research Supervisor:** Yevgeniy Kolenko

**Academic Supervisor:** Bahodir Ismailov

**Supervisor:** Nemathodjaev Zuhridin

**Student:** Tolibjon Mustafoev

## Table of Contents

<b>INTRODUCTION</b> .....	4
<b>CHAPTER I. CORRUPTION PERCEPTION INDEX: MEASUREMENT, STANDARDIZATION AND THE CASE OF UZBEKISTAN</b> .....	13
1.1 A critical historical progress assessment of sources and data used for ‘corruption’ measurement by Transparency International .....	13
1.2 The nature of corruption perception standardization method .....	17
1.3 Overview of previous and current methodology of TI for evaluating Uzbekistan’s corruption perception level .....	19
<b>CHAPTER II. UZBEKISTAN IN CPI: CURRENT SITUATION AND PROBLEM ANALYSES</b> .....	25
2.1 Overview of current legal and institutional anticorruption framework in Uzbekistan .....	25
2.2 Existing challenges in public sector, <i>inter alia</i> , effective and transparent governance issues .....	29
2.3 Compliance level of ongoing state actions for improving positions in CPI: comparison case study of Uzbekistan and best practices of Qatar, UAE and the Republic of Korea .....	33
<b>CHAPTER III. RECOMMENDATIONS OF THE FURTHER ENHANCEMENT OF UZBEKISTAN’S POSITION IN CPI</b> .....	39
3.1 Promoting and ensuring core principles of effective and transparent governance at all levels of public sector in Uzbekistan .....	39
3.2 Civil society involvement as a corruption preventing tool.....	45
3.2 Ensuring existence of the state legal framework for proper operation of the state anti-corruption organization .....	48
<b>CONCLUSION</b> .....	51

<b>REFERENCES</b> .....	54
<b>APPENDIX 1 (DIAGRAMM: UZBEKISTAN IN CPI 1999-2011)</b> .....	65
<b>APPENDIX 2 (DIAGRAMM: UZBEKISTAN IN CPI 2012-2019)</b> .....	66
<b>APPENDIX 3 (INDEX)</b> .....	67
<b>APPENDIX 4 (INTERVIEW 1)</b> .....	68
<b>APPENDIX 5 (INTERVIEW 2)</b> .....	74
<b>APPENDIX 6 (DISCUSSION: FOCUS GROUP)</b> .....	79

*“...detection of low transparency is, ipso facto  
a detection of corruption “ Dr. William De Maria<sup>1</sup>*

## **INTRODUCTION**

The Republic of Uzbekistan by having rapidly growing economy strives for betterment of its international image by enhancing local legislation and institutions which deal with eradicating corruption. Good international image and reputation are very important for Uzbekistan to increase its chances to be an attractive destination for foreign investments.

Current government of Uzbekistan, that is led by the President Mirziyoev, is striving to establish international and regional collaborations and partnerships in varieties of sectors including the fight against corruption in both public and private sectors. Mirziyoev’s administration works on close collaboration with worldwide recognized international and non-governmental organizations such as United Nations, Organization of Security and Cooperation in Europe, Shanghai Cooperation Organization New government and Transparency International. The core aim of the current government is to follow international standards and localize them.

Modern Uzbekistan strives to ensure stability and to increase the competitiveness of the economy, as these are the most important tasks and conditions for meeting the requirements of sustainable development. The country is experiencing positive changes in many areas due to the effective parliamentary activities and new political and economic views of the government. In addition, Uzbekistan is actively working to improve its law-making and enforcement practices.

---

<sup>1</sup> De Maria William, Measurements and markets: Deconstructing the corruption perception index // International Journal of Public Sector Management – 2008. – P.738.

In January 24 2020 Mr. Mirziyoev performed with his speech on importance of unity and integrity in order to eradicate and fight against corruption, he also mentioned that: *“The effectiveness of our reforms is largely determined by 4 important factors - ensuring the rule of law, effectively combating corruption, increasing institutional capacity and the formation of strong democratic institutions...”*<sup>2</sup>

In particular, reforms in the field of economy, crime prevention and anti-corruption policies are indicators of the country's dynamic work towards achieving the UN sustainable development goals. For instance, the current policy of the government within its justice sector is not only to deal with the consequences of violations, but also to prioritize the prevention of illegal actions in a timely manner.

Modern Uzbekistan considers the UN Sustainable Development Goals and the national Development Strategy Actions 2017-2021<sup>3</sup> as important concepts to rely on while initiating new policies and law-making processes. The country is gradually adopting a new course to combat corruption crimes and improve its image in international rankings. The adoption of the law "on combating corruption" in 2017<sup>4</sup> has become an important factor in combining the efforts and interest of state bodies and civil society institutions for starting joint work in corruption eradication. However, there are still some legal and institutional challenges which are creating obstacles for the effective enforcement of the state anticorruption policies.

Enhancement and reforms in a public sector of any country are strongly linked to the proper monitoring, consulting and cooperation with both internal and

---

<sup>2</sup> Press service of the President of Uzbekistan cited in local news agency pv.uz [online resource] URL: <https://www.pv.uz/ru/news/prezident-otmetil-cto-borba-s-korrupsiiej-delo-vsego-obschestva> (Accessed 24 January 2020)

<sup>3</sup> Decree of the President of the Republic of Uzbekistan “On the action strategy for the further development of the Republic of Uzbekistan” dated February 7, 2017., № PD-4947) [online resource] URL: <https://lex.uz/docs/4355387> (Accessed 20 January 2020)

<sup>4</sup> Law of the Republic of Uzbekistan “On Combating Corruption” dated January 3, 2017., № LRU-419 [online resource] URL: <https://lex.uz/docs/4056495> (Accessed 20 January 2020)

external individual specialists and organizations. Evaluations of the level of transparency, integrity, democracy and human rights of countries across the world are conducted by several international civil organizations and movements. One of them is Transparency International that is a Berlin based non-governmental international organization that was established by a former regional director for the World Bank Peter Eigen in 1993<sup>5</sup>.

TI is recognized as ‘corruption measuring’ institution which observes and notes the level of corruption in societies. Since 1995 Transparency International with the Internet Centre for Corruption Research at the University of Passau in Germany analyzed the level of corruption perception in more than 180 countries around the world. Transparency International focuses on evaluating and systemizing corruption measurement in countries and publishing results annually (CPI); in addition, it also publishes a *Global Corruption Barometer*, *Global Corruption Report*, and a *Bribe Payers Index*<sup>6</sup>.

*The Global Corruption Barometer* debuted in 2003 and since that year has surveyed the experiences of everyday people confronting corruption around the world. Through our Global Corruption Barometer, tens of thousands of people around the globe are asked about their views and experiences, making it the only worldwide public opinion survey on corruption. Furthermore, the *Global Corruption Report* is Transparency International’s flagship publication, bringing the expertise of the anti-corruption movement to bear on a specific corruption issue or sector. *The Global Corruption Report: Education* consists of more than 70 articles commissioned from experts in the field of corruption and education, from universities, think tanks, business, civil society and international organizations.<sup>7</sup>

---

<sup>5</sup> Ellen Gutterman (June 2012). "The Legitimacy of Transnational NGOs: Lessons from the Experience of Transparency International in Germany and France" (PDF). Paper submitted to the 84th annual conference of the Canadian Political Science Association.

<sup>6</sup> Transparency International e.v. "Transparency International – What we do". [transparency.org](http://transparency.org).

<sup>7</sup> *Ibid.*

One more essential part of the Transparency International's working scope is publishing the Bribe Payers Index which ranks world's largest economies according to the perceived likelihood of companies from these countries to pay bribes abroad. It is based on the views of business executives as captured by Transparency International's Bribe Payers Survey.<sup>8</sup>

This Berlin based NGO got the world recognition as one of the most influential 'corruption measurement' data publisher; the well-known annual index published by the Transparency International is the Corruption Perception Index (or CPI). Following index scores and ranks countries/territories based on how corrupt a country's public sector is perceived to be by experts and business executives. It is a composite index, a combination of 13 surveys and assessments of corruption, collected by a variety of reputable institutions. The CPI is the most widely used indicator of corruption worldwide. On top of that, Corruption Perception Index by TI remains as the most applicable and popular index regardless the existence of scholarly arguments which claim that CPI is politicized and it applies unjustified and unpractical methodology of standardization.

Nowadays Uzbekistan is paying special attention to corruption eradication in public sector and enhancement its positioning in Corruption Perception Index by Transparency International. Currently, Uzbekistan is the 153 least corrupt nation out of 180 countries, according to the 2019 Corruption Perceptions Index reported by Transparency International. Active lawmaking and enforcement practice, systematic anticorruption reforms and effective international collaboration supported Uzbekistan to enhance it's positioning in Corruption Perception Index to 5 ranks in comparison to previous years.

Thus, Following paper critically discusses the nature of the standardization of CPI, ongoing reforms of Uzbekistan and their affiliation with positioning in

---

<sup>8</sup> *Ibid.*

CPI as well as recommendations for further possible enhancement of the country's ranking in CPI.

### **Substantiation of the topic**

Corruption Perception Index is an international wide scale 'corruption measurement' data that has strong influence on the image of any state within its coverage. Uzbekistan is currently working on betterment of its reputation in the following index. There is a decree of the President of the Republic of Uzbekistan No. 5687, which was adopted in order to improve the position of the Republic of Uzbekistan in economic and political-legal ratings and indices, including the corruption perception index. This decree is also aimed at effective coordination of the activities of responsible ministries and departments, as well as further increasing the authority of our country in the international arena<sup>9</sup>. Following decree supports the core goals of the second subpoint of the fifth priority direction of the "National Development Strategy of Actions 2017-2021" that as adopted by the decree №4947 of the President Mirziyoev on 7 February 2017. "Priority directions in the implementation of a balanced, mutually beneficial and constructive foreign policy" that is the 5.2 direction states the following :

*"strengthening the international image of the Republic of Uzbekistan, bringing to the world community objective information about the ongoing reforms in the country"*<sup>10</sup>.

Decree No. 5687 also facilitated the creation of a Commission to coordinate work with priority international ratings and indices. Initiating this Commission

---

<sup>9</sup> Decree of the President of Uzbekistan "On systematizing the enhancement of the positions of the Republic of Uzbekistan in international indices" dated March 7 2019., № PD-5687 [online resource] URL: [https://nrm.uz/contentf?doc=581328\\_ukaz\\_prezidenta\\_respubliki\\_uzbekistan\\_ot\\_07\\_03\\_2019\\_g\\_n\\_up-5687\\_o\\_sistemizacii\\_mer\\_po\\_uluchsheniyu\\_pozitsiy\\_respubliki\\_uzbekistan\\_v\\_mejdunarodnyh\\_reytingah\\_i\\_in\\_deksah&products=1\\_](https://nrm.uz/contentf?doc=581328_ukaz_prezidenta_respubliki_uzbekistan_ot_07_03_2019_g_n_up-5687_o_sistemizacii_mer_po_uluchsheniyu_pozitsiy_respubliki_uzbekistan_v_mejdunarodnyh_reytingah_i_in_deksah&products=1_) (Accessed 15 January 2020)

<sup>10</sup> Decree of the President of the Republic of Uzbekistan "On the action strategy for the further development of the Republic of Uzbekistan" dated February 7, 2017., № PD-4947 [online resource] URL: <https://lex.uz/docs/4355387> (Accessed 20 January 2020)



was based on the need to improve the efficiency of implementation of the international standards and recognized policies by comprehensively reviewing and improving priority international ratings and indices, as well as systematic coordination of activities carried out by responsible ministries and departments. The case of positioning of the Republic of Uzbekistan in the Corruption Perception Index is always in the active agenda of the commission's meetings that are held at least once a month.<sup>11</sup>

Above mentioned ongoing government activities and reforms in legal framework clearly illustrates the importance of the research agenda. This paper analyses ongoing reforms and develops the practical and theoretical recommendations for further betterment of Uzbekistan's position in the Corruption Perception Index.

**Object** of the following dissertation is the anticorruption institutional and legal mechanisms of the Republic of Uzbekistan and their affiliation with the state positioning in international rankings.

**Subject** of the research covers ongoing anticorruption state policies of the Republic of Uzbekistan and their relevance to the positioning of the Republic of Uzbekistan in the Corruption Perception Index; doctrinal researches on CPI as well as its nature; implementation and/or consideration of international experience of anticorruption reforms in national legislation and practice.

### **Research goals and objectives**

Following research aims to develop new recommendations for Uzbekistan to enhance its position in Corruption Perception Index based on analyses of

---

<sup>11</sup> The official website of the Ministry of Foreign Affairs of the Republic of Uzbekistan [online resource]  
URL: <https://www.mf.uz/home/o-ministerstve/press-sluzhba/minfin-news/4704.html> (Accessed 25 January 2020)

- CPI sources and origins of the data used by Transparency International to compute country scores;
- Current ongoing anticorruption policy of Uzbekistan;
- Existing challenges in the legal and institutional frameworks of Uzbekistan with regards to the initiation and implementation of anticorruption policies and standards;
- Uzbekistan's current experience in fulfilling international requirements according to the ratified treaties and declarations within anticorruption scale;
- The practice of Uzbekistan in implementing effective governance principles in public sector
- The affiliation of the ongoing state practice with positioning in CPI;
- Positive practice of other states in reforming the anticorruption policies in public sector which led to the betterment of positions in various international ranks including the CPI;
- Collaboration of Uzbekistan's government with reputable international organizations including United Nations, Organization of Security and Cooperation in Europe, Organization for Economic Cooperation and Development and etc.

### **Scientific novelty**

The scientific novelty of the research is determined by the fact that in local practice, this is one of the first studies in which consists of a comprehensive study of legislative and institutional reforms and problems that affect the position of Uzbekistan in the Corruption Perception Index. The issues raised in this dissertation are on the top of agendas of quite active discussions among local and foreign experts in the field of anti-corruption.

Uzbekistan is a developing country that is in urgent need for the rapid increase in foreign investment, however investors always monitor and track the positioning of the investment destination in the international rankings for further

security reasons. This paper fills in the gap that is created by the absence of the respective research in the issues of rank betterment in the CPI. In addition, there is a notable gap in the research field for a special comprehensive study of all the main problems of regulating the positioning of Uzbekistan in the Corruption Perception Index.

Following paper provides novel analyses which consider the basis of modern foreign doctrinal sources, the analyses of which has not yet been conducted in the domestic legal research framework. The paper provides a comparative legal and sociological analyses of the provisions of regulatory acts, institutional reforms and the experience of foreign countries which led them for championing in the Corruption Perception Index. The comparative analyzes of this research clearly shows the practice of applying legal and institutional reforms of foreign countries in Uzbekistan.

### **Literature review**

*Theoretical basis of the research.* General theoretical individual theories and propositions are formulated by representatives of foreign scientific thoughts on the standardization of the measurement of corruption and anti-corruption policy. The research was conducted on the basis of general scientific and special analyzing methods by applying UNCAC, EU documents, laws, regulations, treaties, international conferences and expert opinions.

*The legal framework of the study* is represented by sources of international and national laws of the Republic of Uzbekistan, Qatar, the Republic of Korea, the United Arab Emirates and some countries of the European Union. Significant literature in the complex legal sources list are the Constitution of the Republic of Uzbekistan, treaty of international law, civil and economic legislation, and legislation on the fight against corruption, other laws, decrees of the Cabinet of Ministers of the Republic of Uzbekistan, decrees of the President of the Republic

of Uzbekistan, international and foreign legislations (related to Qatar, Republic of Korea, United Arab Emirates).

There are a lot of United Nations Commentaries, Policy Guides, Treaties and Conventions about bringing crime prevention and criminal justice into the wide agenda of the host state. Furthermore, local laws on recognition of international agreements, nationalized sustainable development strategy and legal framework of Strategy of Actions for 2017-2021 of the Republic of Uzbekistan are also considered as fundamental sources to refer.

Arguments in the main part are justified and referred to national legislation and international practice.

### **Theoretical and practical significance of the research results**

Theoretical and practical significance of the work is that the contents of the thesis, conclusions and suggestions made in the study focused on improving Uzbekistan's position in the Corruption Perception Index. Certain provisions can be used in the educational process for preparing and teaching courses on international standards and the corruption Perception Index, methods for analyzing the perception of corruption and its standardization, as well as anti-corruption policy of Uzbekistan.

In addition, the results of the research can be used in law-making activities in order to form a new private or state anti-corruption body, to amend the current legislation regulating state anti-corruption policy, as well as in law enforcement practice, using the recommendations developed in this research on compliance with the principles of international law.

## Methodology

To achieve the goals set by the author, general scientific and private scientific methods of cognition were applied. Analytical, logical, dialectical, comparative legal methods, etc were applied in the process of research.

Research is based on qualitative approach to the issue by identifying the existence of the gap in the enhancement of Uzbekistan's position in the Corruption Perception Index and proposing new concepts for anticorruption policies of Uzbekistan. The type of study is inter-disciplinary and covers elements of both law and sociology of law.

I have conducted semi-structured interviews with anti-corruption specialists, researches, scholars, anthropologists who have certain international practice in corruption studies, practicing lawyers and public servants. The outcomes of the interviews are incorporated to the analyses part and in research submissions. Interviews were conducted in different cities including Copenhagen (Denmark), Malmo (Sweden) and Tashkent (Uzbekistan); others were conducted online by applying modern platforms for online conferencing.

Moreover, considering the fact that I have zero tolerance to corruption, it was really difficult for me to stay objective during the interviews. Objectivity and neutrality are the basis for getting valuable outcomes. However, it is claimed that any '*research can never be entirely objective*' (ASA Ethical Guidelines, 2011: 10)<sup>12</sup>. I was completely disagreed with some opinions of interviewees about the acceptance of corruption as a cultural phenomenon; not considering small bribery as a type of corruption; making public sector less transparent for the reason of giving less reasons for people to discuss certain problems. Consequently, I was

---

<sup>12</sup> Association of Social Anthropologists of the UK and the Commonwealth (ASA), 2011. *Ethical Guidelines for good research practice*, P.3 [online resource] URL: <https://www.theasa.org/downloads/ASA%20ethics%20guidelines%202011.pdf> (Accessed 15 March 2020)

very neutral during the interviews, but my analyses are very critical and consider some subjectivity

### **Description of work structure**

Following master degree dissertation consists of three chapters that consist of 9 paragraphs; introduction and conclusion; reference list is attached in the end of the thesis, but before the attachments part.

## **CHAPTER I. CORRUPTION PERCEPTION INDEX: MEASUREMENT, STANDARDIZATION AND THE CASE OF UZBEKISTAN**

### **1.1 A critical historical progress assessment of sources and data used for ‘corruption’ measurement by Transparency International**

To start with, Transparency International mostly relies on other sources while making its reports or indices as well as there is no exact method in anthropology or sociology to ‘measure’ corruption level. CPI is an outcome of the evaluation of other reputable sources as Bertelsmann Foundation Transformation Index, Economist Intelligence Unit Country Ratings, Freedom House Nations in Transit Ratings, Global Insight Country Risk Ratings, IMD World Competitiveness Yearbook, PRS International Country Risk Guide, World Economic Forum, World Justice Project Rule of Law Index, Varieties of Democracy Project.

Inexistence of exact methodology to measure ‘corruption’ or its perception create challenges for accountability and recognition of the outcomes. Most of the sub-sources of CPI are ratings and publications which deal with transparency in public sector, economic and social wellbeing of the state, freedom of speech and the level of guaranteed by state fundamental democratic rights and freedoms. In addition, most of the public management issues, for instance corruption, are problematic for fitting the measurement scales because activities related to this type of crimes are mostly ‘invisible, unintended or contradictory’ (Noordegraaf and Abma, 2003, p. 853)<sup>13</sup>.

Up to 2004 the data was mainly collected by relying on opinions of men that excludes women voices and opinions of ordinary civilians. Former Head of Research of Transparency International Galtung highlights that considering opinions of public sector during the analyzing process is very valuable, however purely relying on it is not really practical. Mentioned above critiques were stated

---

<sup>13</sup> Noordegraaff, M. and Abma, T. (2003), “Management by measurement? Public management practices amidst ambiguities”, *Public Administration*, Vol. 81 No. 4, pp. 853-71.

in the interview conducted by Governance Access Learning Network. Data collection for CPI considers interviewing people who are representatives of the private sector. Some private sector representatives can be people who were previous victims of corrupt bureaucracies; so that their responses might be very subjective. But it is believed that ‘corruption measurement’ does not work that way.<sup>14</sup>

### ***Validity and reliability of applied sources***

Most of the data applied by Transparency International to make CPI are exclusively private sector oriented opinions. The samples of the surveys used for collecting data almost entirely represent the interests of individual experts and private sector representatives.

None of expert-based opinions and thirteen other reputable sources used by Transparency International to construct the latest 2019 edition of CPI consider or measure directly the phenomenon of ‘corruption’. But these sources separately measure ‘epiphenomenal occurrences’ that are linked to the existence of corruption in certain sector. De Maria in her article titled “Measurements and markets: deconstructing the corruption perception index” argues that

*“...in this flawed reasoning, a conclusion that “corruption” exists is necessitated by, or reached from, these previously known epiphenomenal facts. The overconfident expectation is that what is measured is bound to be the secondary manifestation of “corruption”.”*<sup>15</sup>

For instance, in 2005 World Bank International Association’s survey on measurement of accountability and transparency was used as a source of CPI, *ipso*

---

<sup>14</sup> The Governance-Access-Learning Network , The Galtung Critique of the Corruption Perception Index of Transparency International, Interview notes dated 14 October 2004.

<sup>15</sup> De Maria William, Measurements and markets: Deconstructing the corruption perception index // International Journal of Public Sector Management – 2008.



*facto* transparency and accountability are the major phenomenon which discourage most of the types of corruption.<sup>16</sup>

Hence, Transparency International creates its 'large scale corruption measurement' index known as CPI, by considering and analyzing the results of surveys by reputable international and non-governmental organizations, consultancy companies and individual expert opinions.

### ***Possible intervention of considerable political influence in 'corruption measurement' process***

CPI aims evaluating and highlighting the weakest or the vulnerable public sectors of all states in terms of corruption perception. Most of the developing states including Uzbekistan consider the reports of Transparency International and try to affiliate their internal legal and institutional reforms with it. However, according to De Maria there is a certain complexity between state anticorruption programming and CPI that is described in four steps:

- (1) zero tolerance for "corruption" is specified as the standard in advance (by western interests);*
- (2) this standard is expressed in measurable form;*
- (3) TI manages a system of measuring country-based performance against that specification (CPI); and*
- (4) measured performance is linked to donor activity'<sup>17</sup>*

There are different views concerning the reasons for willing to be placed in topper positions in CPI by Transparency International. On one hand, some

---

<sup>16</sup> World Bank (IDA), "Country policies & institutional assessments", - 2005 [online resource] URL: <http://siteresources.worldbank.org/IDA/Resources/CPIA2005Questionnaire.pdf> (Accessed 19 February 2020)

<sup>17</sup> De Maria William, Measurements and markets: Deconstructing the corruption perception index // International Journal of Public Sector Management – 2008.

scholars and researches believe that there is a direct and obvious link between the corruption index and the flow of international anti-corruption aids. Even though Transparency International made confident statements that donors should avoid using CPI as a scale for rational allocations of resources and investments into state anti-corruption programmes<sup>18</sup> [4, P.105,106,115], but some organizations as US Congress funded Millennium Challenge Corporation (MCC) still do<sup>19</sup> [9]. On another hand, corruption related ratings and indices indirectly and directly affect the foreign direct investment (FDI) and business attractiveness of developing states<sup>20</sup>. But Uzbekistan is more interested in standing at one frontline with corruption free countries to increase its direct foreign investment attractiveness rather than increasing the flow of any type of international aids.ϣϕϣϕϕϕ

According to Galtung : “...by reproducing such narrow dimension of the corruption, Transparency International has contributed to making anti-corruption to the benefit of foreign investors the dominant international agenda – to the exclusion of other agendas”<sup>21</sup>.

## **1.2 The nature of corruption perception standardization method**

### ***Standardizations of corruption perception: effective technique or race to the bottom?***

International ratings by Transparency International, Freedom House, World Bank, Bertelsmann Foundation, World Economic Forum measure the level of perception of corruption and transparency in different public and private sectors by standardizing. According to Transparency International experts, the standardization method allows identifying the most corrupt areas of public

---

<sup>18</sup> F.Galtung, “Measuring the immeasurable: boundaries and functions of (macro) corruption”, in Sampford / eds C., Shacklock, A., Connors, C. and Galtung, F., - Measuring Corruption, - Ashgate: Aldershot, 2008 - pp. 101-30.

<sup>19</sup> De Maria William, Measurements and markets: Deconstructing the corruption perception index // International Journal of Public Sector Management – 2008.

<sup>20</sup> Jung-Yeop Woo, Uk. Heo, Corruption and Foreign Direct Investment Attractiveness in Asia // Asian Politics & Policy – 2009.

<sup>21</sup> The Governance-Access-Learning Network , The Galtung Critique of the Corruption Perception Index of Transparency International, Interview notes dated 14 October 2004.

administration and institutions. However, several legal scholars believe that ratings do not illustrate 'corruption' measurement, they just standardize people's thoughts and perceptions about corruption. Tina Søreide challenges nature, effectiveness and reliability of CPI by Transparency International. She claims that CPI is not based on 'true facts about the actual levels of corruption', rather she calls it "index of indices"<sup>22</sup>. Corruption related ratings and indices indirectly and directly affect the foreign direct investment (FDI) and business attractiveness of developing states<sup>23</sup>.

Corruption Perception Index of Transparency International is recognized as 'first-generation Index' that applies diverse instrumental and statistical techniques to measure corruption by its perception in society.<sup>24</sup> Diverse statistical and data analyses techniques guarantee CPI its leading position among world's corruption evaluation and analytical observation indices. However, some legal scholars argue about the validity of the corruption perception methodology of Transparency International. According to Bevan and Hood (2006, p.517) any complex governance system needs special form of control that relies on measured performance indicators and administration by targets<sup>25</sup>.

Absence of the exact 'measurement' formula for evaluating the level of corruption, challenges the comprehensiveness of methodology applied by TI for making reports and indices. Most sub-indicators of CPI sources concentrate on the level of public management issues, transparency in public sector activities, effective governance and tolerance for corruption. Complexity and variety of

---

<sup>22</sup> Is it Wrong to Rank? A Critical Assessment of Corruption Indices Tina Søreide (2006) Bergen: Chr. Michelsen Institute (CMI Working Paper WP 2006: 1) 13 p.

<sup>23</sup> Woo, Jung-Yeop & Heo, Uk. Corruption and Foreign Direct Investment Attractiveness in Asia. *Asian Politics & Policy*. 1. 223 - 238. 10.1111/j.1943-0787.2009.01113.x. – 2009.

<sup>24</sup> Johnston M, *The New Corruption Rankings: Implications For Analysis And Reform* (Department of Political Science Colgate University).-2000. [online resource] URL: <[https://www.researchgate.net/publication/228848458\\_The\\_New\\_Corruption\\_Rankings\\_Implications\\_for\\_Analysis\\_and\\_Reform](https://www.researchgate.net/publication/228848458_The_New_Corruption_Rankings_Implications_for_Analysis_and_Reform)> accessed 20 January 2020

<sup>25</sup> Bevan, G. and Hood, C. (2006), "What's measured is what matters: targets and gaming in the English public health care system", *Public Administration*, Vol. 84 No. 3, pp. 517-38.

sources applied by TI for creating CPI make the corruption measurement process difficult, or even unclear.

CPI is a score registering trend which raises awareness about the ongoing corruption related scandals. CPI has unique character, that is very influential in world politics and image making, but not practical for countries. For example, reports of Transparency International or its indices cover just problems, but not solutions. The analyzes made by experts of Transparency International do not have any recommendations for the further improvement of anti-corruption policies or betterment high risky corruption affiliated public sectors. Because of the standardization method countries struggle with improvement of their positions in the CPI.

Any government reforms and sustainable development that includes anticorruption efforts cannot guarantee improvement of positions of the state in the CPI. Even though Transparency International standardizes countries according to its own methods, it does not and cannot provide any practical recommendations or advises for governments on the possible ways of improving their scores and positioning in the CPI. Consequently, Galtung also agrees that

*“...CPI does is criticize: it provides no solutions and it points to no answers. The need now is not “awareness raising” but for the identification of solutions. By giving harsh and negative scores to countries where reformers are hard at work is to denigrate their work and to feed cynicism and the belief that whatever they are trying to do will be unsuccessful. The CPI has become a race to the bottom, not the top”<sup>26</sup>*

Despite critiques of the methodology of Transparency International, Uzbekistan strives for betterment of its positions in the CPI. But the standardization method tracking the progress of all countries; so that,

---

<sup>26</sup> The Governance-Access-Learning Network , The Galtung Critique of the Corruption Perception Index of Transparency International, Interview notes dated 14 October 2004.

simultaneous progress in anticorruption sector in several developing countries may still influence on the positioning of Uzbekistan in the index. Thus, getting high positions in the CPI is quite challenging regardless the progress made by a state in a short period of time, because of the subjectivity of progress analyzes and standardization method.

### **1.3 Overview of previous and current methodology of TI for evaluating Uzbekistan's corruption perception level**

#### ***Historical progression of Uzbekistan in CPI***

First data about Uzbekistan in Corruption Perception Index was published in 1999 and it was based on the surveys from four sources. Some years country was leading the Central Asian region in the index. But Uzbekistan started getting low scores and respectively lower positions in CPI by the enlargement of the number of surveys and sources.

In 2014 country scored 18 out of 100 scaled computing system. This score ensured Uzbekistan with the 166<sup>th</sup> rank among 175 countries, that means Uzbekistan was recognized as the second Central Asian country with the highest corruption perception and corrupted public sector after Turkmenistan that got 17 points in 2014. Most important data's that TI relied to measure the level of corruption perception in Uzbekistan in 2014 was presented by the World Bank Worldwide Governance Indicators where country poorly performed on the all main six dimensions of governance assessed that are:

- voice and accountability;
- political stability and absence of violence;
- government effectiveness;
- regulatory quality;
- rule of law;

- control of corruption;<sup>27</sup>

Currently, Uzbekistan with its 25 points is the 153 least corrupt nation out of 180 countries, according to the 2019 Corruption Perceptions Index reported by Transparency International. In comparison to the previous years Uzbekistan enhanced its positioning to 5 ranks.

Eastern Europe and Central Asia including Uzbekistan are recognized by Transparency International as the second lowest performing region where the average score is 35<sup>28</sup>.

The official report of the Transparency International on CPI 2019 by reaffirming Freedom House's report states that:

*“Since 2012, Belarus (45), Kyrgyzstan (30) and Uzbekistan (25) have significantly improved on the CPI. However, these three post-Soviet states continue to experience state capture and a failure to preserve checks and balances. While Uzbekistan has loosened some media restrictions, it still remains one of the most authoritarian regimes worldwide.”*<sup>29</sup>

### ***Applied sources for evaluation of corruption perception in Uzbekistan: Accountability of analyzed data***

The score for Uzbekistan in 2018 was presented taking into account data from such sources as:

- Bertelsmann Foundation Transformation Index (Uzbekistan-21)
- Economist Intelligence Unit Country rating (Uzbekistan - 20)

---

<sup>27</sup> Maíra Martini. Transparency International// Overview of corruption and anti-corruption: Uzbekistan.- 2015. [online resource] URL: <https://knowledgehub.transparency.org/helpdesk/overview-of-corruption-and-anti-corruption-uzbekistan> (Accessed 15 March 2020)

<sup>28</sup> Transparency International. Report on corruption Perception Index 2019.-2019. [online resource] URL: <https://www.transparency.org/cpi2019> (Accessed 20 March 2020)

<sup>29</sup> Freedom House, Freedom in the World 2019: Uzbekistan. -2019. [online resource] URL: <https://freedomhouse.org/report/freedom-world/2019/uzbekistan> (Accessed 15 March 2020)

- Freedom House Nations Transit Rating (Uzbekistan - 21)
- country risk rating - Global Insight (Uzbekistan - 22)
- CPIA - world Bank (Uzbekistan - 18)
- Rule of Law Index - World Justice Project (Uzbekistan - 34)
- Annual report on democracy - project "Diversity of democracy" -V-Dem. (Uzbekistan - 23))

Standardization method applied by the Transparency International recalculates the original scores and standardizes them within a scale of 0 the most corrupt to 100 the least corrupt.

Mentioned below sources analyze almost all political and social aspects, reforms, challenges, rule of law and economical stability of the state. Methodology used by all sources varies from one to another, but remains as a very comprehensive and “large scale” assessment process.

Apart from this, Bertelsmann Foundation critically discusses the conflict of interests in public sector which may create extra motives for further corruption schemes. Experts of the Bertelsmann Foundation mostly referred to the intersection of interests of public and private sections. Mostly they gathered information from open sources and referred to the survey results that aim to collect data mostly from individual experts or private sector representative. For example, the latest report of BF mentions following

*“...unfortunately, the government does not use transparent and non-discriminatory criteria in evaluating requests for permits to associate and/or assemble. More often than not, groups are not able to operate free from unwarranted state intrusion or interference in their affairs. For example, the government adopted a rule in 2013 that NGOs receiving grants from international organizations or foundations must open a special bank account for those grants*

*and a special commission must issue permission for the use of the grant. Such a measure was established as means to control NGO activities.*"<sup>30</sup>

The BTI country report on Uzbekistan highlights several times that the analyzed data is mostly taken from the official state sources that means at least this report experts have referred to the most valuable and accountable data.

### ***Progress evaluation process of corruption perception in Uzbekistan by Transparency International: the most and the least covered public sectors***

Transparency International mostly evaluates institutional and legal anticorruption frameworks; in addition, in critically evaluates the following high corruption risky public sectors of Uzbekistan such as healthcare, police, security and defense, education, public administration and agriculture.

Moreover, Uzbekistan experienced international corruption scandals with involvement of foreign international private and public business enterprises. All those corruption cases directly or indirectly caused the positioning of Uzbekistan in Corruption Perception Index and other international indices. Most of the famous big corruption scandals have affiliation with Gulnara Karimova, the daughter of former President of Uzbekistan Islam Karimov. She is currently under arrest on corruption charges in Uzbekistan. She was sentenced to thirteen years<sup>31</sup>. Sarajevo<sup>32</sup> based Organized Crime and Corruption Reporting Project previously estimated that five Telecom companies could have paid Karimova more than one billion dollars in bribes in the 2000s<sup>33</sup>.

---

<sup>30</sup> Bertelsmann Foundation. Transformation Index BTI 2018 Country Report- Uzbekistan. – 2019 . [online resource] URL: [btiproject.org/fileadmin/files/BTI/Downloads/Reports/2018/pdf/BTI\\_2018\\_Uzbekistan.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2018/pdf/BTI_2018_Uzbekistan.pdf) (Accessed 17 March 2020)

<sup>31</sup>Organized Crime and Corruption Reporting Project. [online resource] URL: <https://www.occrp.org/en/daily/11867-jailed-uzbek-princess-gets-further-prison-time> (Accessed 15 March 2020)

<sup>32</sup> Sarajevo is the capital and the largest city of Bosnia and Herzegovina

<sup>33</sup> S.Roque, Vimpelcom Fined US\$ 795 Million Over Uzbekistan Telecoms Bribes. [online resource] URL: <https://www.occrp.org/en/investigations/4958-vimpelcom-fined-us-795-million-over-uzbekistan-telecoms-bribes> (Accessed 10 March 2020)



Thus, all international corruption scandals on the territory of Uzbekistan have a negative impact on the country's position in international rankings. Transparency International does not take into account the interference of foreign companies in corruption crimes in the territory of this country while standardizing and calculating CPI points, which means the competence of Transparency international's computing methods need to be reviewed.

### ***The affiliation level of the legal and political reforms in anti-corruption policy of Uzbekistan with state's positioning in CPI***

Different international indices including CPI always try to stay “objective” during the data collection, analyzing and ranking processes. The affiliation level of the legal and institutional anticorruption reforms of any state with its positioning in the Corruption Perception Index depends on three main sources that are recognized as corruption indicators to data<sup>34</sup>:

1. different type of surveys related to perception of corruption and the most widely used attitudes
2. critical review of the state efforts in anticorruption policy, existing legal and institutional framework
3. detailed version of analyses and audit of individual cases

CPI particularly considers very large scale of corruption “measurement”. Public policy, recent updates and existing challenges in the public sector business dealing mostly affect state positioning in the CPI. Report of Corruption Perception Index 2019 highlights the main directions of the public sector in CIS countries that are strongly linked to the final results known as ranking.

---

<sup>34</sup> Fakezas M., Toth I., King L., 'An Objective Risk Index Using Public Procurement Data', European Journal on Criminal Policy and Research 22 (3). – 2016. P.369 . [online resource] URL: [https://www.researchgate.net/publication/301646354\\_An\\_Objective\\_Corruption\\_Risk\\_Index\\_Using\\_Public\\_Procurement\\_Data](https://www.researchgate.net/publication/301646354_An_Objective_Corruption_Risk_Index_Using_Public_Procurement_Data) (Accessed 7 February 2020)

CPI in its report on the Central Asian countries highlights that “*across the region, countries experience limited separation of powers, abuse of state resources for electoral purposes, opaque political party financing and conflicts of interest*”<sup>35</sup>.

That means current issues with separation of powers in government and possible gap in institutional framework and legislation are very well analyzed by the experts of Transparency International or by any other partner institutions.

Moreover, report states that “*strong political influence over oversight institutions, insufficient judicial independence and limited press freedoms serve to create an over-concentration of power in many countries across the region.*”<sup>36</sup>

Consequently, reforms related to the freedom of press and decentralization of powers in public sector are largely analyzed by Transparency International to be used in constructing Corruption Perception Index.

## **Chapter II: Uzbekistan in CPI: current situation and problem analyses**

### **2.1 Overview of current legal and institutional anticorruption framework in Uzbekistan**

#### ***Structural and Institutional challenges in corruption inspection of legal acts in Uzbekistan***

In theory and practice, it is generally agreed that all measures aimed at fighting against corruption are mainly divided into two main areas, they are<sup>37</sup>:

- The first direction is to take measures to counteract external manifestations of corruption. This direction is aimed at fighting with already existing corruption

---

<sup>35</sup> The Official website of Transparency International., Corruption Perception Index 2019. -2020., P.16 [online resource] URL: <https://www.transparency.org/cpi2019> (Accessed 17 March 2020)

<sup>36</sup> View the same source

<sup>37</sup> Corruption: causes, influences, and methods of fighting. Moscow State Institute of International Relations. World and national economy magazine, published by MGIMO MFA of Russia <https://mirec.mgimo.ru/2009-01/korruptsiya-prichiny-vozniknoveniya-vliyaniya-i-metody-borby2>

punitive measures. For example, they can include bringing to disciplinary responsibility, initiating criminal cases, and others

- The second direction is the measures taken to prevent corruption by eliminating the legislative and institutional prerequisites for corruption. One of these measures is to conduct correct anti-corruption expertise.<sup>38</sup>

Practice shows that a significant number of threats arise at the stage of developing legal acts. These threats contribute to the emergence of corrupt factors. Preventing corruption risks is an effective measure to combat corruption. The elimination of possible corruption risks in legal acts can be achieved through clear and strict compliance with the principles and mechanisms of anti-corruption expertise.

According to the leading researcher of Senate of the Republic of Uzbekistan Ildar, the study of the Senate of the Oliy Majlis (The Supreme Council of Uzbekistan - Parliament) shows that the proper level of anti-corruption expertise at the national level has not found its wide application, and there are still problems with this issue on the ground.

Thus, in Uzbekistan, it is practiced to conduct an anti-corruption expertise of legal acts within the framework of legal expertise. Based on the current legislation, anti-corruption expertise is carried out by state bodies with the appropriate authority to adopt legal acts. In the case of Uzbekistan, this is the Ministry of Justice.

The Ministry of Justice and its territorial divisions are defined as bodies responsible for conducting anti-corruption expertise. in accordance with the Law of the Republic of Uzbekistan "on normative legal acts"<sup>39</sup> (2012) and Order of the

---

<sup>38</sup> Corruption: causes, influences, and methods of fighting. Moscow State Institute of International Relations. World and national economy magazine, published by MGIMO MFA of Russia <https://mirec.mgimo.ru/2009-01/korruptsiya-prichiny-vozniknoveniya-vliyaniya-i-metody-borby2>

<sup>39</sup>Law of the Republic of Uzbekistan 'On Normative Legal Acts' dated December 24, 2012., № PD-342 [online resource] URL: <https://www.lex.uz/acts/2105726> (Accessed 20 January 2020)

Minister of Justice of the Republic of Uzbekistan "On approval of the methodology of anti-corruption expertise of normative legal acts"<sup>40</sup> (registration number 2745, December 25, 2015)

In Uzbekistan, civil society institutions have the right to conduct independent anti-corruption expertise. The results of the examination of civil society representatives are of a recommendatory nature.

An analysis of the current state of anti-corruption expertise practice in Uzbekistan shows that the main reasons and prerequisites for the appearance of corruption-related factors in legal documents are happening because of the violations of the methodological foundations, principles and traditions of legislative technique. The above-mentioned problems create the possibility of their different and ambiguous interpretation by law enforcement agencies, the adoption of normative legal acts by bodies that do not have the authority to adopt these acts. As well as by studying the local practice of standard-setting and conducting anti-corruption expertise of draft legal acts on the ground, it is possible to identify a number of problematic points in the legislation.

The elimination of these problems and gaps would minimize corruption risks and significantly improve the quality of adopted legal acts. The institutional and legal framework for anti-corruption expertise has been established in Uzbekistan, but the existing potential is not being used as effectively as it could be. Significant unrealized prospects are present in terms of improving legislation and ensuring control over compliance with methodological norms of rulemaking and organization of work processes.

Istanbul Action Plan monitoring meeting in 2015 recognized Uzbekistan's progress in establishing new visions and policies in anticorruption screening of legal and administrative acts at all levels by stating the following:

---

<sup>40</sup> Order of the Minister of Justice of the Republic of Uzbekistan "On approval of the methodology of anti-corruption expertise of normative legal acts" December 25, 2015., №2745 [online resource] URL: <https://www.minjust.uz/en/activity/npaprojects/96781/> (Accessed 20 January 2020)

“...the law drafted in February 2015 aimed at measures for streamlining legislation and reducing the regulations, which is now available for the public discussion on the website of the Ministry of Justice of Uzbekistan. These measures are welcome. While not having the opportunity to study the relevant legislative base, the expert team believes that the reported measures already constitute the progress in implementation of the recommendation.”<sup>41</sup>

However, existing high risk of the conflict of interest in the area of screening legal documents in the regional and local levels is creating obstacles for the full transparency in lawmaking process. Moreover, less practiced anticorruption screening specialists and *de facto* of anticorruption expertise is not separated from general legal expertise are challenging indicators for Uzbekistan’s progress in getting recognition for full satisfaction of legal framework with the criteria’s of the article 5 of UNCAC<sup>42</sup>.

### ***Interdepartmental commission against corruption***

Systematized new anticorruption reforms of Uzbekistan started from the adoption of law “On Combating Corruption” on January 3 2017<sup>43</sup>. Following law initiated the establishment of the state Republican Interdepartmental Commission for Combating Corruption to coordinate state actions in regards to prioritizing Uzbekistan’s positioning in international ratings and indices, which indicates the current government of Uzbekistan’s interest in improving its positions within these spheres. In addition, Interdepartmental Commission was empowered to monitor the activities of the bodies and organizations that carry out and participate

---

<sup>41</sup> Organization for Economic Cooperation and Development., Istanbul Action Plans, Third Round of Monitoring: Uzbekistan Progress Updates, - 2015. [online resource] URL: <https://www.oecd.org/corruption/acn/Uzbekistan-ACN-Progress-Update-March-2015-ENG.pdf> (Accessed 10 April 2020)

<sup>42</sup> United Nations Convention Against Corruption. [online resource] URL: [https://www.unodc.org/documents/brussels/UN\\_Convention\\_Against\\_Corruption.pdf](https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf) (Accessed 20 March 2020)

<sup>43</sup> Law of the Republic of Uzbekistan “On Combating Corruption” dated January 3, 2017., № LRU-419 [online resource] URL: <https://lex.uz/docs/4056495> (Accessed 20 March 2020)

in anti-corruption activities and related policy implementation processes. The order of formation and activities of the Interdepartmental Commission is determined by the President of the Republic of Uzbekistan.

Interdepartmental Commission is chaired by Prosecutor General and consists of the heads of different ministries and state agencies including State Security Service of the Republic of Uzbekistan; Ministry of Internal Affairs of the Republic of Uzbekistan; Department for Combating Tax, Currency Crimes and Legalization of Criminal Incomes under the General Prosecutor's Office of the Republic of Uzbekistan, Department for Combating Economic Crimes under the Prosecutor General's Office of the Republic of Uzbekistan. Basic tasks of the following commission are ensuring the interaction of different organizations within Uzbekistan that participate in anticorruption activities as well as initiating proposals on enhancing the current legislation on combating corruption and its eradication.<sup>44</sup>

Republican Interdepartmental Commission for Combating Corruption is recognized as a supportive body in the process of anticorruption lawmaking and international practice implementation activities. However, it cannot be a substitution to the requirement of the article 6 of the United Nations Convention Against Corruption, which states that each state should grant independence to the preventive anticorruption body so that it can carry out its tasks and missions “*free from any undue influence*”<sup>45</sup>.

Uzbekistan signed and accepted the United Nations Convention Against Corruption, consequently according to the principle of public international law *pacta sunt servanda* government is supposed to follow all the requirement as much as possible. Pursuing this further, President Mirziyoyev during his speech to the Parliament of Uzbekistan in January 2020 initiated the creation of a new

---

<sup>44</sup> Law of the Republic of Uzbekistan “On Combating Corruption” dated January 3, 2017., № LRU-419 [online resource] URL: <https://lex.uz/docs/4056495> (Accessed 20 March 2020)

<sup>45</sup>United Nations Convention Against Corruption. [online resource] URL:[https://www.unodc.org/documents/brussels/UN\\_Convention\\_Against\\_Corruption.pdf](https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf) (Accessed 20 March 2020)

independent anticorruption body that will be accountable only to the Senate and the President<sup>46</sup>. This decision of the government can serve as a positive background for following the requirements of Article 6 of the UN Convention against corruption.

## **2.2 Existing challenges in public sector, *inter alia*, effective and transparent governance issues**

Mitigating the reasons and sources for corruption begins with transparency. Transparency allows for citizens to be informed of their rights, true data, and other important information. Transparency in data and information also allows businesses to demonstrate to government organizations of fair and honest business transactions. For the government agencies, transparency of data and information allows policy makers to make correct and informed decisions, it allows international corporations to understand the processes and inner workings of the government (in turn creating a more stable business environment for investors and international development), and most importantly it allows trust to form between the government and the people.

In Uzbekistan, anti-corruption efforts are present, especially through recent governmental reforms; however, they are not fully developed. One of the main reasons for this is lack of trust between people, businesses, and institutions. People do not have access to correct and clear information; therefore, they cannot make adequate decisions.

The current situation in Uzbekistan demonstrates how websites and other means to find data are simply not available or inaccurate. If businesses and officials do not show this required data, the public is less likely to trust the

---

<sup>46</sup>Official website of the Permanent Mission of Republic of Uzbekistan to the United Nations. [online resource] URL: <https://www.un.int/uzbekistan/news/address-president-republic-uzbekistan-shavkat-mirziyoyev-oliy-majlis-0> (Accessed 25 March 2020)

institution. In turn, the perception of corruption for these individuals and business is higher. Not having access to this information also makes it extremely difficult to get ahold of individuals and question them about certain topics. When spoken to, officials can manipulate or essentially fabricate this data with no proof. This sort of system creates a situation where corruption is easily continued.

Current paper considers sociological background of the corruption related issues and covers several interviews and group discussion to understand the nature of the affiliation of transparency in public sector with corruption perception of citizens. As it is known Corruption Perception Index mostly relies on the opinion of civilians and both national and international expert's reports on the level of people's tolerance to corruption<sup>47</sup>.

The results of observations and group discussions show that trust is the first step in stemming the flow of corrupt practices. Trust is essential, but it requires a departure from the "normal" culture and attitude surrounding corruption in Uzbekistan's society. Basic citizens, business workers, and even government officials, see corruption as normal means to an end. Corruption allows tasks to be completed more efficiently in the short-term; however, in the long-term corruption is more damaging to efficiency, especially for the lower members of society who do not have the means to engage in these practices. It is a vicious cycle.

Moreover, the opinions of participants of the focus groups have some differences. One thinks that the major point here is that more transparency creates more trust, which is what helps improve corruption. But the second one believes that ensuring full transparency in public sector may lead to other political and social challenges within state. The second speaker argues that it is impossible and not profitable either economically or socially to ensure full transparency. Pursuing this further, he states that the state must ensure transparency only in public

---

<sup>47</sup> The Official website of Transparency International., Corruption Perception Index 2019 [online resource] URL: <https://www.transparency.org/cpi2019> (Accessed 17 March 2020)



activities, education, and health care. Because the state has a task not just to ensure a good life but also to protect its citizens. There is such a task to protect borders and citizens' interests in a world where all resources are limited and everyone has their own interests. Because of the differences in opinions, sometimes, conflict of interests arises. Diplomacy and negotiations are only solutions in such a crises situations.

According to the opinions of interviewees, some people in Uzbekistan are less likely to engage in transparent ways of doing business and instead rely on corruption because of a simple lack of resources. When people are paid lower than they should be, they still have to meet their daily needs. Therefore, they have to find ways to enrich themselves in their daily activities. The way to do so is through corruption, and a system, which is not transparent, allows for this behavior. It is cyclical in nature. If people have the means to meet their daily needs and wants, then they are less likely to be inclined to participate in corrupt measures because they have no need to do so.

As countries become more developed and people reach a better condition of living, this situation may become better on its own. However, it still requires a system that is built on transparency. For this sort of transparent system to be created trust is needed and also a change in the cultural mindset of the people in Uzbekistan. People in Uzbekistan need to view corruption as something that needs to be fixed, starting with the lowest parts of society, instead of a problem that government officials need to fix. In addition, Uzbek society needs to condemn all levels of corruption and not normalize this behavior.

On March 13, 2019, the US State Department released an annual report on human rights in various countries, including the level of corruption. The document noted that the number of cases against officials on corruption charges has actually increased in Uzbekistan, "impunity is still widespread", and "officials often engage in corruption with impunity" which is very arguable considering the recent numbers of corruption cases with involvement of public officials. The State

Department cited as an example of recent proceedings against high-ranking officials the accusation of the Governor of the Samarkand region, Turobjon Juraev, of receiving bribes from construction companies for building permits in UNESCO-protected areas of the city of Samarkand. In 2019, Juraev was arrested<sup>48</sup>. Thus, the reports of international organizations or any states on corruption cases with reference to Uzbekistan may indirectly affect the positioning of Uzbekistan in the CPI and other international indicis.

Uzbekistan strives to identify its ‘vulnerable’ public sectors and to implement enhanced international practices on anti-corruption policies by initiating reforms and international collaboration. For instance, since 2018, the Prosecutor General's office, the Ministry of Justice of the Republic of Uzbekistan, together with the Republican Interdepartmental Commission on Combating Corruption, has been implementing the UNDP project "Countering Corruption through Effective, Accountable and Transparent Governance Institutions in Uzbekistan"<sup>49</sup> ; and the Program to Support Anti-Corruption Policies and Activities in the Republic of Uzbekistan within the framework of the UNDP Global Project on Anti-Corruption for Peaceful and Inclusive Societies (ACPIS) for 2017-2020. In accordance with Uzbekistan's Action Strategy for 2017-2021 and the country's commitments under the UN Sustainable Development Goals, this Project contributes to the effective implementation of the law of the Republic of Uzbekistan "on combating corruption". In addition, current joint projects are an opportunity for the Uzbek government to implement national obligations under the UN Convention against corruption and the Istanbul Action Plan to combat corruption in the public sector.

---

<sup>48</sup> The official website of The U.S. Department of State. [online resource] URL: <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/uzbekistan/> (Accessed 15 March 2020)

<sup>49</sup> The official website of UNDP in Uzbekistan. [online resource] URL: <https://www.uz.undp.org/content/uzbekistan/en/home/projects/preventing-corruption-through-effective-accountable-and-transpa.html> (Accessed 15 March 2020)

## **2.3 Compliance level of ongoing state actions for improving positions in CPI: comparison case study of Uzbekistan and best practices of Qatar, UAE and the Republic of Korea**

In the context of globalization, Uzbekistan integrates the recommendations of competent international organizations in the fight against corruption into its state programs. One example is the ‘state anti-corruption program 2019-2020’ presidential order signed on 27 May 2019<sup>50</sup>, which advocates for the conformity of state anticorruption policy with recommendations of Istanbul Anti-corruption Action Plan of the Organization for Economic Cooperation and Development<sup>51</sup>.

### ***Comparison case with Qatar (social welfare enhancement and state cooperation with anti-corruption think tanks)***

Pursuing this further, Uzbekistan is experiencing difficulties in the efficient and effective establishment of anti-corruption policies because of the lack of qualified specialists in anticorruption and the inexistence of any think tanks or special research institutes. Most anticorruption policies are proposed by the General Prosecutors Office of the Republic of Uzbekistan or by interdepartmental state anticorruption committees, which consists of representatives from various ministries and state-led social organizations. Most of the committee members are highly qualified specialists or heads of their respected departments; however, de facto they are not specialized or/and highly qualified in anticorruption (both legal or anthropological) studies. This similar problem was overcome by the State of Qatar by creating ‘The Rule of Law and Anticorruption Center’ that is recognized as a public research institution with headquarters in Qatar and Geneva. This

---

<sup>50</sup> Decree of the President of the Republic of Uzbekistan “On the Measures for further enhancement of Anticorruption System of the Republic of Uzbekistan” dated May 27, 2019., № PD-5729 [online resource] URL: <https://lex.uz/docs/4355387> (Accessed 20 January 2020)

<sup>51</sup> Anti-corruption reforms in Uzbekistan. 4th round of monitoring of the Istanbul Anti-Corruption Action Plan [online resource] URL: [https://www.oecd.org/corruption/acn/OECD-ACN-Uzbekistan-4th-Round\\_Monitoring-Report-2019-ENG.pdf](https://www.oecd.org/corruption/acn/OECD-ACN-Uzbekistan-4th-Round_Monitoring-Report-2019-ENG.pdf) (Accessed 20 January 2020)

current center mobilizes resources to conduct researches in anticorruption and compliance policies in collaboration with University of Sussex (the United Kingdom) and other educational institutions.

The outcomes of the researches are used as methodological and practical support to help private and public enterprises with anticorruption system establishments<sup>52</sup>. Thus, Uzbekistan can actively apply the experience of Qatar in terms of cooperating or establishing think tanks for bettering the ongoing anticorruption policy making process.

### ***Comparison case with UAE (legal framework comparison analyses)***

United Arab Emirates is remaining as the leading country in the Middle East and North African region with 71 scores and 21<sup>st</sup> places among all nations according to the Corruption Perception Index 2019<sup>53</sup>. According to the Transparency International, UAE got the best score in the regional context because of "*good and efficient management of public finances, improved public procurement and better access to public services and infrastructure*"<sup>54</sup>.

The general overview of the anticorruption legal framework of the United Arab Emirates is very similar to the current situation with legal documents in Uzbekistan. Similarity is considered in the ununified legal framework, that means anticorruption state or/and federal policy is coordinated by various legal documents instead of one unified code or law. Regardless the unconsolidated approach, UAE is recognized as a federal state with comprehensive anticorruption legal framework.<sup>55</sup>

---

<sup>52</sup> Mathias Bak. An Overview Of Corruption And Anti-Corruption In Qatar. 2020. - p.12-13. [online resource] URL: <https://knowledgehub.transparency.org/helpdesk/qatar-an-overview-of-corruption-and-anti-corruption>. (Accessed 15 March 2020)

<sup>53</sup>The Official website of Transparency International [online resource] URL: <https://www.transparency.org/country/ARE> (Accessed 17 March 2020)

<sup>54</sup> Mark Beswetherick and Nicholas Braganza., UAE leads the region in fight against corruption. [online resource] URL: <https://www.lexology.com/library/detail.aspx?g=a58e2dda-7dc6-4d5e-b095-150e5e2f4df7>. (Accessed 17 March 2020)

<sup>55</sup> Business Anticorruption Portal, United Arab Emirates Corruption Report,-2018. [online resource] URL: <https://www.ganintegrity.com/portal/country-profiles/united-arab-emirates/> (Accessed 9 April 2020)

Several federal as well as local laws of UAE has specific provisions and articles, which directly or indirectly deal with anticorruption policy and bribery. Mentioned above legal framework includes the Penal Code (amended UAE Federal Law №3 of 1987); Civil Service UAE Law №21 of 2001; the Dubai Government Human Resources Management Law №26 of 2006; and the last is the Abu Dhabi Law №1 of 2006 concerning Civil Service in the Emirate of Abu Dhabi (the last mentioned three laws all together are recognized and referred to as the ‘Civil Service Laws’.<sup>56</sup>

Corruption, passive and active bribery, abuse of office and all types of attempts to bribe public employees are criminalized by the UAE Penal Code on the Federal level. In addition, bribing foreign officials is recognized as illegal action by the revised version of the UAE Penal Code in 2016<sup>57</sup>. However, Uzbekistan has experience in facing with difficulties because of the existing gaps in the legislation concerning the recognition of illegality of bribing foreign officials while conducting any business operations.<sup>58</sup>

Moreover, UAE Federal laws made exact consideration about giving and receiving any types of gifts, especially, for those who are employed in public sector. Gift can be considered appropriate only after matching with exact requirement of the local or Federal laws that cover number of specific factors including relevance, the frequency of the offered gifts, its value and initial intention.<sup>59</sup>

---

<sup>56</sup> Baker McKenzie, Anti-Corruption in the United Arab Emirates. [online resource] URL: <https://globalcompliance.com/anti-corruption/anti-corruption-in-the-united-arab-emirates/> (Accessed 8 April 2020)

<sup>57</sup> The Penal Code of UAE <https://www.adjd.gov.ae/sites/Authoring/AR/ELibrary%20Books/E-Library/PDFs/Penal%20Code.pdf>

<sup>58</sup> Organization for Economic Cooperation and Development., Anti-corruption network for Eastern Europe and Central Asia The Istanbul Action Plan on fight against corruption, Uzbekistan: assessment and recommendations, - 2010. [online resource] URL: <https://www.oecd.org/corruption/acn/istanbulactionplan/46822558.pdf> (Accessed 10 April 2020)

<sup>59</sup>Baker McKenzie, Anti-Corruption in the United Arab Emirates. [online resource] URL: <https://globalcompliance.com/anti-corruption/anti-corruption-in-the-united-arab-emirates/> (Accessed 8 April 2020)

There is one more difference between provisions of the criminal acts of both countries in terms of bribe and sentencing for it. UAE Federal Law considers different treatment procedure while sentencing people involved in bribery according to the relevance to public or private sector. For example, if public official in UAE is found guilty for involvement in bribery or corruption in general is sentenced to five to ten years of imprisonment, but anyone from private sector or mediator are subject for imprisonment maximum for five years for the same illegal activity<sup>60</sup>. However, anyone regardless to public or private sector including bribing people and mediators are treated in the same way according to the type and amount of bribery as stated in the article 210 of the Criminal Code of Uzbekistan<sup>61</sup>.

***Comparison case with Republic of South Korea (Online E-Procurement Service KONEPS and Uzbek procurement system comparison)***

There are obvious gaps in the Uzbekistan's e-procurement system which can be the reason for different type of corruption cases and schemes.

Currently Uzbek Government is closely collaborating with several international organizations and foreign countries to introduce some reforms in e-procurement sector. Reforms in the procurement sector aim implementing anticorruption systems and identifying beforehand possible risks of criminogenic situations related to any type of corruption.

Consequently, Republic of Korea as one of the strategic partners of Uzbekistan could be considered as effective example in eradication corruption in public procurement. Uzbekistan can apply the practice of Korean e-procurement system which have been led to the notable improvements in public procurement administration of Korea since 2000s.

---

<sup>60</sup>Business Anticorruption Portal, United Arab Emirates Corruption Report,-2018. [online resource] URL: <https://www.ganintegrity.com/portal/country-profiles/united-arab-emirates/> (Accessed 9 April 2020)

<sup>61</sup> The Criminal Code of the Republic of Uzbekistan dated September 22, 1994. [online resource] URL: <https://lex.uz/docs/111457#153014>

South Korean central public procurement agency that is Public Procurement Service introduced new KONEPS '*end-to-end procurement system*' in 2002. Following system is recognized as comprehensive e-procurement platform that covers electronic contracting, tendering, payment and even internal related document exchange process. KONEPS is an acronym of 'Korean Online Electronic Procurement System'. It is well-known and popular among Korean public sector organizations; that is in fact 62,7% of total public procurement that is equivalent to 106 Billion USDs passed through KONEPS in 2012.<sup>62</sup>

Current system is very attractive for beneficiaries because of its reduced transaction costs. Increase in the number of KONEPS's followers caused for the reduction of procurement related corruption crimes for the last decade. Korean Anticorruption and Civil Rights Commission highlighted the improvement of public procurement sector rates, after starting using the application of KONEPS, in the integrity perception index from 6.8 to 8.52 out of maximum 10 score<sup>63</sup>. Thus, active implementation of the information systems and modern information technologies in the finance related public sectors as well as minimizing human involvement in the process of data separation or decision-making lead to the reduction of corruption risks.

A key concern for illegal practices was borrowed e-certificates. To mitigate this risk, the Public Procurement Service introduced "Fingerprint Recognition e-Bidding" in 2010. Each user of the Fingerprint Recognition e-Bidding system can tender for only one company by using already token biometric security<sup>64</sup>. According to the report of the Korean Procurement Service (KPP):

---

<sup>62</sup> Integrated e-procurement system KONEPS in Korea. [online resource] URL: <https://www.oecd.org/governance/procurement/toolbox/search/integrated-e-procurement-system-koneps.pdf> (Accessed 10 April 2020)

<sup>63</sup> Organization for Economic Cooperation and Development., Corruption in Public Procurement, - 2016. [online resource] URL: <http://www.oecd.org/gov/ethics/Corruption-Public-Procurement-Brochure.pdf> (Accessed 10 April 2020)

<sup>64</sup> Oh Yeon-Chil., SMART SECURITY FOR ETHICAL PROCUREMENT: Fingerprint recognition e-bidding in Korea. [online resource] URL: [https://www.g2b.go.kr/gov/koneps/pt/intro/file/7\\_Fingerprint%20Recognition%20eBidding%20in%20Korea.pdf](https://www.g2b.go.kr/gov/koneps/pt/intro/file/7_Fingerprint%20Recognition%20eBidding%20in%20Korea.pdf)

*“Fingerprint information is stored only in the concerned supplier’s file, thus avoiding any controversy over the government’s storage of personal biometric information. By July 2010, it was applied in all tenders carried out via the KONEPS by local governments and other public organizations procuring goods, services and construction projects. In 2011, PPS launched a new bidding service allowing the bidding process to take place via smartphones through newly developed security tokens and applications.”*<sup>65</sup>

Thus, Korean Government rapidly decreased illegal e-bidding attempts by introducing Fingerprint Recognition e-Bidding, that mean integrity in the procurement sector was increased along with transparency level. Consequently, less corruption cases were registered by Korean Anticorruption and Civil Rights Commission after automizing procurement sector and implementing new electronic technology.<sup>66</sup> Furthermore, the following initiative of Korean Government led to the reinforcement of transparency and fairness which are currently positively influencing the convenience of electronic tendering and state economic efficiency.<sup>67</sup>

Considering the corruption cases in public procurement sector of Uzbekistan , Government is strongly recommended to consider South Korean experience of implementing modern software and electronic systems in procurement system to eliminate maximum types of corruption risks from it.

### **Chapter III: Recommendations for further enhancement of Uzbekistan’s ranking in CIP**

---

<sup>65</sup> Organization for Economic Cooperation and Development., Corruption in Public Procurement, - 2016. [online resource] URL: <http://www.oecd.org/gov/ethics/Corruption-Public-Procurement-Brochure.pdf> (Accessed 10 April 2020)

<sup>66</sup> Jesse W. Campbell .,Public Procurement Policy in South Korea: Approaches to Sustainable Development and Anti-Corruption.,-2017. . [online resource] URL: <https://doi.org/10.1108/S2053-769720170000028007> (Accessed 10 April 2020)

<sup>67</sup> Oh Yeon-Chil., SMART SECURITY FOR ETHICAL PROCUREMENT: Fingerprint recognition e-bidding in Korea. . [online resource] URL: [https://www.g2b.go.kr/gov/koneps/pt/intro/file/7\\_Fingerprint%20Recognition%20eBidding%20in%20Korea.pdf](https://www.g2b.go.kr/gov/koneps/pt/intro/file/7_Fingerprint%20Recognition%20eBidding%20in%20Korea.pdf)



### **3.1 Promoting and ensuring core principles of effective and transparent governance at all levels of public sector in Uzbekistan**

Transparency can make state workers to be more responsible in the way informing people about thousands of tasks that they carry out and constantly let them know about the status of implementation. All governments can issue hundreds of new regulations but the most important part is implementation and controlling, thus transparency could somehow assure this. Issues of corruption and failure to provide transparency can be seen as symptoms of a larger problem.

Confidence of both government and citizens in the political process is considered as the main imperative for enhancement of transparency and democracy in the state. Holding government officials accountable for the decisions made by them and their actions can be reached only by providing great transparency and openness in public sector<sup>68</sup>. In this regard, democratic process is successful only when government ensures transparency in its public sector as well as allows all citizens to actively participate in the decision making process on policies or laws which have direct affect to peoples' everyday routines and lives. Considering this further, Ball claims that only “...when citizens have information, governance improves. Transparency occurs through the support of society, government, media, and business for open decision-making”<sup>69</sup>.

So that, the important aspects of transparency in public sector are letting people to track and monitor government actions, ensuring the direct public control on state policy implementation processes. Direct public control within the context of transparency means existence of direct participation of citizens in the policy decision making and implementation process rather than indirect monitor through representatives where just results arise from democratic values.<sup>70</sup>

---

<sup>68</sup> Kierkegaard, S. (2009). Open access to public documents—More secrecy, less transparency! *Computer Law and Security Review*, 25(1), 3–27. doi:10.1016/j.clsr.2008.12.001

<sup>69</sup> Ball, C. (2009). What is transparency? *Public Integrity*, 11(4), 293–308. doi:10.2753/PIN1099-9922110400

<sup>70</sup> Meijer, A. J. (2013). Understanding the complex dynamics of transparency. *Public Administration Review*, 73(3), 429–439. doi:10.1111/puar.12032

Uzbekistan has an experience of attempts of actively involving citizens and people living in the country to participate in the discussions of the state projects, amendments to existing legal acts and norms, but there is a gap in sufficient public relations in Uzbekistan's public sector that can be filled in with implementing more effective 'back' communication and informing policy about the results and ongoing actions of previously taken decisions. For instance, Ministry of Justice of the Republic of Uzbekistan before conducting general legal expertise of legal acts, it takes into consideration people's comments on government's mentioned above acts and legal initiatives that are normally published in the regulations.go.uz portal.

Ensuring people's participation in discussion is very positive experience within a scale of transparency, but it needs to be enhanced in terms of raising public awareness about this portal and ensuring the reporting by government about the progress and results of the implemented project, policy or law.

### ***Data publication on purchases and expenditures in public sector (public procurement)***

In the public sector, the more transparency with monetary information, the better the business investment climate and general society will be. If there is relevant information that is publicly available, this holds officials and businesses accountable to those numbers. In addition, this information allows people to trace business transactions to ensure illegal schemes, like money laundering, are not happening. Publicly available documents concerning monetary issues ensure compliance of the business with laws, it allows audits to be more efficient, and people are likely to trust businesses and officials more when there is data that can be used as proof.

For example, the recent reforms in the tax system of Uzbekistan were warmly welcomed by citizens, because government introduced new technology

that can insure transparency in this sector. Now Uzbekistan's government is applying blockchain system in its tax sector. The database in blockchain system duplicates in different organizations, so that this system has introduced decentralized control over public funds and taxes. This case can be viewed as an positive experience for establishing transparency.

Article 8 of the law of the Republic of Uzbekistan 'On Public Procurement' that is called 'principle of openness and transparency' states that:

*“Openness and transparency of public procurement is carried out by:*

*placement of information on public procurement on a special information portal with full, timely, free and free access to the relevant state bodies, subjects of public procurement and the public, in accordance with the procedure established by law, with the exception of cases stipulated by law;*

*drafting and ensuring the safety of documents and reports on procurement procedures”<sup>71</sup>*

Current law is adopted to ensure effective management and transparency in public procurement sector. It mostly focuses on setting exact procedures for Uzbekistan's public procurement sector. Law highlights the importance of announcements of information related to the public procurement in relevant online platforms by relying on the principles of transparency and openness.

However, there are quite a lot of exceptions that are granted to conduct direct contracting in public procurement sector in Uzbekistan. For instance, thirty six types of state purchases are granted for direct contracting by respective state departments and suppliers by the decree of the President of Uzbekistan.<sup>72</sup> Following decision is made by considering state security issues. However, the

---

<sup>71</sup> Law of the Republic of Uzbekistan “ON PUBLIC PROCUREMENT” ” dated April 9, 2018., № LRU-472 [online resource] URL: <https://lex.uz/docs/3648311> (Accessed 7 April 2020)

<sup>72</sup> Decree of the President of Uzbekistan “ON MEASURES TO IMPLEMENT THE LAW OF THE REPUBLIC OF UZBEKISTAN "ON PUBLIC PROCUREMENT” dated September 27., №DPU -3953 [online resource] URL: <https://lex.uz/docs/3919892> (Accessed 9 April 2020)

experience of the European Union legislation on public procurement strongly recommends avoiding direct contracting because of the risks of possible practical challenges and conflict of interests.

According to the data provided by the Prosecutor General's office, as a result of the increase in violations in the public procurement sector, specifically in construction, over the past two years, 973 criminal cases have been filed in connection with the construction industry, and 1,233 people have been prosecuted. Of these crimes, 15 were abuse of office, 54 were fraud, 94 were bribery, 488 were looting and 501 were fraud.

Most tragically, the actions of 1,152, or 93 per cent, of those prosecuted, are crimes of a corrupt nature. During this period, 4 khakims (governors), 15 deputy governors, 30 other representatives of khokimiyats (local governments), 3 project institutes, 20 employees Ministry of Construction, 43 officials from engineering companies "Single Customer Service", 63 officials from companies under "Qishloq Qurilish Invest", 119 "Davergeodezkadastr" officials have been prosecuted for corruption related construction frauds.

As a result of crimes, it is important to highlight these facts:

- looting - looted funds and property worth \$ 66 billion sums;
- 73 billion soums and 237 thousand dollars obtained fraudulently from various citizens;
- The funds received through evidence of bribery amounted to 444 mln. soums and 327 thousand dollars;
- 1.2 billion soums and 665 thousand dollars received as bribes by officials for solving various construction issues.

In the context of European legislation, public procurement objectives are well accepted and supported by most of the population of member states. Eurobarometer (2011) survey shows a large scale support for the EU's

procurement standards' role in the fight against corruption and favoritism. Following survey and its results clearly demonstrates public awareness and understanding on importance of opening up procurement market for more competition.<sup>73</sup>

More competition, less exceptions for direct contracting and public awareness lead to the better trust of citizens and private sector to the state policies of government. The phenomenon of trust is one of the main segments for relying on while ranking country's position in different democracy and transparency indices including the Corruption Perception Index.

Expansion of electronic procurement forms is very essential for Uzbekistan for creating safe and transparent platform in public procurement<sup>74</sup>. It was discussed earlier by analyzing the e-procurement system of the Republic of Korea, Uzbekistan would benefit by implementing blockchain based e-procurement system.

Improvements in the existing electronic procurement platforms in terms of simplifying registration process, integrating them with verified clearing and settlement platforms and introducing document exchange and payment options directly through the system would make Uzbekistan's procurement system more transparent and reliable so that private companies would feel more confident while dealing with supplies to public sector.

In addition, interaction and unification of electronic database of different state departments, ministries and public organizations can increase of interest of both suppliers and purchasers for applying electronic version of procurement for most of the cases. South Korean experience shows that interaction of Ministry of

---

<sup>73</sup> European Commission Internal Market and Services., EU public procurement legislation: delivering results Summary of evaluation report. -2011. [online resource] URL: [file:///C:/Users/User/Downloads/executive-summary\\_en.pdf](file:///C:/Users/User/Downloads/executive-summary_en.pdf) (Accessed 7 April 2020)

<sup>74</sup> World Bank., Improvement of the Public Procurement System in the Republic of Uzbekistan. – 2017. [online resource] URL: <http://pubdocs.worldbank.org/en/816741495971667917/Uzbekistan-13th-PEIMO-Forum.pdf> (Accessed 10 April 2020)

Finance Treasury, 'Single-Window' state service center, Customs and Tax authorities, banks and different insurance organizations in one electronic portal of procurement by organizing simplified purchases, speeding up registration processes and quick payment methods would attract both public and private sectors entities for dealing online and transparent when it comes to procurement issues.

Thus, Public purchasers cannot be assumed to have the same commercial pressure or organisational incentives in sound management of their expenditure as private sector purchasers subject to strong competition. This has prompted the imposition, by many jurisdictions around the world, of disciplines to encourage the better use of resources, greater efficiency and to reduce the risk of favouritism or corruption in public purchasing<sup>75</sup>.

### **3.2 Civil society involvement as a corruption preventing tool**

Even though existence of legal framework that guarantees people's right to access to information related to the public sector, it is not practical if awareness of people about it is low. Consequently, media as civil society has an important role in disseminating information about anti-corruption state policy among people and encouraging them to have an active involvement in its creation and implantation. Several scholars argue that civil society should have effective instruments to be able to influence state institutions which are responsible for implementation and realization of state anticorruption programs and policies. In the era of modern policy making, state's willingness, creation of real organizational and legal conditions for civil society representative should be recognized as a respond to the growing social demand for control.

Transparency and accountability in the public sector are powerful allies in any anticorruption policy. Previously discussed practices of foreign countries with

---

<sup>75</sup> European Commission Internal Market and Services., EU public procurement legislation: delivering results Summary of evaluation report. -2011. [online resource] URL: [file:///C:/Users/User/Downloads/executive-summary\\_en.pdf](file:///C:/Users/User/Downloads/executive-summary_en.pdf) (Accessed 7 April 2020)

better positions in CPI show that Uzbekistan can get better world recognition for its anticorruption efforts by internationalizing values aligned with citizenship values and government that should be open and transparent. All these recommendations highlight that importance of people's feeling as a part of the political process, but not just an observer; *“and also for the rescue of ethical values by politicians and public officials in order to generate greater confidence in the government”*<sup>76</sup>.

As a fact, getting high ranks and good position in the international indices on transparency and governance including the Corruption Perception Index depends on minimizing corruption problems and cases, social development level and strengthening democracy. All mentioned above successes can be achieved by the combination of values discussed in this paragraph with participatory practice and sufficient access information, where government on regular basis informs everyone about the dealing in public sector and people stay informed by being ensured to express their opinions in the manner of adequacy and relevance.

Following the previously made analyzes about providing sufficient access to information regarding public sector dealings and relying on the nineteenth recommendation of the OECD country progress update within the third round of monitoring under the Istanbul Anticorruption Action Plan Uzbekistan needs to *“ensure that legislation on free access to information limits discretion of officials in refusing to provide information; set precise definitions of the “state secret” or other secret protected by the law; carry out campaigns to raise citizens’ awareness about their rights and responsibilities in regard to the access to*

---

<sup>76</sup> Lyrio M., Lunkes R., and Taliani E., ‘Thirty Years of Studies on Transparency, Accountability, and Corruption in Public Sector: The State of the Art and Opportunities For the Future Research’, Public Integrity 20 (5).-2018- P.527

*information regulations. Ensure systematic training of officers who are responsible to provide information on the access to information.”<sup>77</sup>*

In recent decades, more and more attention has been paid to the issues of combating corruption, in particular various aspects of the prevention of corruption crimes using the means and methods of public control. States with high international acknowledgement of democracy with regards to public influence on public policy and governance, along with a set of government measures to prevent corruption and combat its manifestations, public control is an important tool for preventing corruption.

Legal doctrines of foreign scholars claim that public control (‘social’ control) is considered as a set of organizational and legal institutions and mechanisms that allow civil activists, public itself to control the activities of public authorities, contribute to the development and enforcement of laws and other acts in the field of combating corruption, as well as the prevention of corruption. Such control is possible only in conditions of significant development of civil society institutions, a high level of legal awareness of the population and its indifferent attitude to social processes.

Public control as an effective means of combating corruption is impossible without the active participation of citizens in the management process, ensuring their wider representation, information and consultation, and the provision of voting rights. The answer to the growing social need for monitoring the anti-corruption measures taken by the state should be readiness of the state to meet the needs of man and society, creating effective and actual organizational and legal conditions for this.

It should be noted that in foreign countries, anti-corruption control as the activity of public institutions in the fight against corruption relies heavily on the

---

<sup>77</sup> Organization for Economic Cooperation and Development., Istanbul Action Plans, Third Round of Monitoring: Uzbekistan Progress Updates, - 2015. [online resource] URL: <https://www.oecd.org/corruption/acn/Uzbekistan-ACN-Progress-Update-March-2015-ENG.pdf> (Accessed 10 April 2020)



doctrine of open government and transparent governance. This doctrine substantiates the right of citizens to access state information, documents and decisions of state bodies and officials with the aim of effective public control over the functioning of state institutions.

So that, providing official and accountable information to public leads to the increase of trust to the government and possible decrease of the social phenomenon as corruption perception. Accuracy, appropriateness, up-to-dateness of the published information are very important to catch peoples' interest and ensure transparent business dealing in the public sector.

### **3.3 Ensuring existence of the state legal framework for proper operation of the state anti-corruption organization**

In tandem with these changes, there needs to be structural changes within the legal system. People that understand the laws are able to find loopholes in order to participate in corruption themselves. If this sort of system is to be stopped, it is essential for rule of law to also be developed simultaneously. All parts of society are hindered from developing due to corruption, which can even be seen in the recent legislation requiring the use of facemasks to prevent Coronavirus. Individuals have a natural tendency to want to benefit the most they can and to find ways to circumnavigate the legal structures in place. In order to prevent this, there needs to be clearly defined laws, an independent institution that audits these laws and ensures compliance, and a changing of the mindset in the Uzbek people. Once these measures are in place, the ability to prevent corruption will be enhanced. In addition, transparency and trust go together, and the more people and institutions comply with producing transparent and free information, the greater amounts of trust will be produced.

***Importance of legal framework enhancement of anticorruption screening of legal acts***

Reviewing of local law-making practices and anti-corruption expertise in Uzbekistan is a very important factor for preventing corruption schemes. And these changes can positively facilitate the work scale of employees of the new Agency for the fight against corruption. Anti-corruption expertise of draft legal acts at the regional and district levels would reveal a number of problematic points in the legislation at the local level. In addition, a separate and thorough anti-corruption expertise could eliminate or minimize corruption risks and significantly improve the quality of adopted legal acts.

In order to eliminate corruption threats, it is recommended to adopt a special legal act that considers the followings:

- separation of the anti-corruption expertise from the general legal expertise that is currently being conducted by the Ministry of Justice of Uzbekistan. For example, in such CIS countries as Belarus, Moldova or neighboring Kyrgyzstan, there are special legal documents that regulate the conduct of separate and independent anti-corruption expertise. And in neighboring Tajikistan<sup>78</sup> and the

Russian Federation<sup>79</sup> anti-corruption expertise process is regulated by special law.

- provide for mandatory anti-corruption expertise of legal acts at the local level. Currently, the Law of the Republic of Uzbekistan "on normative legal acts" does not require mandatory anti-corruption expertise, which leaves it at the discretion of the justice authorities;

- expansion of subjects of anti-corruption expertise. For example, Russian legislation defines the following subjects: the Prosecutor, the Prosecutor General's

---

<sup>78</sup> Law of the Republic of Tajikistan "On anti-corruption expertise of normative legal acts and draft regulatory legal acts" dated December 28, 2012., №925 [online resource] URL: [http://www.adlia.tj/show\\_doc.fwx?rgn=118662](http://www.adlia.tj/show_doc.fwx?rgn=118662) (Accessed 15 April 2020)

<sup>79</sup> Federal Law of the Russian Federation "On anti-corruption expertise of normative legal acts and draft regulatory legal acts" dated July 17, 2009., № FL-172 [online resource] URL: <https://lex.uz/docs/3648311> (Accessed 15 April 2020)

office, the Ministry of justice, the legal services of state and local authorities, their officials, and independent experts.

- ensuring the existence of mechanism for resolving possible disputes between the developers (initiators of the legal act) of the draft legal act and the subjects of anti-corruption expertise;

- ensuring and granting rights to civil society institutions to conduct their own independent anti-corruption expertise of legal acts at the local level;

In addition, it is highly noted to organize short-term courses on the basics of legal technology, preparation, registration and publication of normative legal acts for deputies of local deputy committees , employees of state authorities in the field of law and lawmaking.

The participation of political parties in the development of draft decisions of local government bodies also needs to be strengthened by understanding their role as shapers of political wellbeing and sustainable development according to the “State Strategy of Actions 2017-2021” of Uzbekistan<sup>80</sup>.

Existence of separate legal act on proceeding corruption expertise of drafts of legal acts may serve as an important phenomenon for better and trust based effective cooperation of public and private sector. Within aim of providing more transparency in legal framework, Uzbekistan can also consider the experience of the Russian Federation which has granted civil society rights to conduct an independent screening of regulatory legal acts. Following right is stated in point one of the article five of Federal Law № FL-172:

*“5.1 Civil society institutions and citizens of the Russian Federation Federation (hereinafter-citizens) can in the manner provided for regulatory legal acts of the Russian Federation, at the expense of own funds to conduct an*

---

<sup>80</sup> Decree of the President of the Republic of Uzbekistan “On the action strategy for the further development of the Republic of Uzbekistan” dated February 7, 2017., № PD-4947) [online resource] URL: <https://lex.uz/docs/4355387>.(Accessed 20 January 2020)

*independent anti-corruption examination of normative legal acts (draft normative legal acts). Procedure and conditions for accreditation of software experts conducting an independent anti-corruption review of regulatory documents legal acts (draft normative legal acts) established by the Federal Executive authority in the area of justice”<sup>81</sup>.*

## CONCLUSION

In its fight against corruption, Uzbekistan would benefit both economically and politically from ensuring more transparency in public sector, granting organizational and institutional bases for involvement of media and all civil society institutions in creating, implementing and promoting state anticorruption programs and policies in wider and effective way. As the World Bank indicates, there are many profits for establishment of transparency in government, including effective governance<sup>82</sup>. However, more important for Uzbekistan, transparency makes the economy function more efficiently. If people, particularly international businesses, can have access to direct and accurate information, the business climate within the country automatically improves. By having access to information, businesses can make better assessments of markets and better business decisions.

Additionally, being more transparent would increase Uzbekistan’s international image and rankings, something President Mirziyoev perceives as important. Adding transparency within the media and legal sectors, like limiting

---

<sup>81</sup> Federal Law of the Russian Federation “On anti-corruption expertise of regulatory legal acts and draft regulatory legal acts” dated July 17, 2009., № FL-172 [online resource] URL: <https://lex.uz/docs/3648311> (Accessed 15 April 2020)

<sup>82</sup> I.Roumeen, Do More Transparent Governments Govern Better? World Bank. [online resource] URL: <https://elibrary.worldbank.org/doi/pdf/10.1596/1813-9450-3077>

“closed” trials, would allow Uzbekistan to garner an improved and more “democratic” image.

Furthermore, Uzbekistan’s anti-corruption efforts would be strengthened by the creation of a private, non-governmental anti-corruption institution or body. The main purpose of such an institution would to ensure the complete governance of anti-corruption reforms throughout the country, especially in the regional centers. This institution would also be effective in the development, implementation, and monitoring of other anti-corruption efforts, particularly to mitigate and manage any issues relating to the law-adoption processes. Weak governance and limited transparency are currently hindering Uzbekistan’s anti-corruption reform agenda. By implementing the above recommendations, Uzbekistan’s efforts to limit corruption will be greatly improved.

Thus, after current President came to power in 2016, Uzbekistan has seen many important changes within its domestic policies, most notably with corruption. New President came to power with the hopes of creating wide scale reforms in order to increase Uzbekistan’s international image. The motivation for this improvement was to increase international cooperation, aid, and investment, which have come true for Uzbekistan. The main hurdles to current reforms in Uzbekistan are corruption and rule of law.

As seen with cases of regional governors still participating in corruption schemes, any policies leaving the capital, Tashkent, take a while to effectively implement in the regions. Until these corruption reforms influence all aspects of Uzbek society, it is difficult to measure the true effectiveness of Mr. Mirziyoyev’s corruption reforms. However, from the perspective of many different international anti-corruption organizations, Uzbekistan’s domestic policies have greatly improved. This is particularly true for the business sector, which has seen massive growth in international investment. Corruption reforms take longer than most other reforms to truly be successful because it requires a changing of the mindset

of the people, not just the system; however, with that being said, Uzbekistan is on the correct path to bettering its international image and corruption ratings.

Thus, there are numbers of measures taken in Uzbekistan with the aim of fighting corruption, in particular ongoing improvement of the regulatory framework, strengthening the capacity of law enforcement authorities, support civil society institutions in exercising public control. However, despite the efforts made in this direction, the problem of corruption has not yet found its solution. This is evidenced by the low position of Uzbekistan in certain international ratings. Government efforts and ongoing legal and institutional efforts positively effecting Uzbekistan's positioning in Corruption Perception Index. More close collaboration and effective partnership with reputable international organizations may lead country's image for betterment in the international arena. At the same time, it should be noted that the corruption is present in almost most state sectors around the world and it is a universal global problem.

## REFERENCE LIST

### Legal documents of the Republic of Uzbekistan

1. Decree of the President of the Republic of Uzbekistan “On the action strategy for the further development of the Republic of Uzbekistan” dated February 7, 2017., № PD-4947) [online resource] URL: <https://lex.uz/docs/4355387> (Accessed 20 January 2020)
2. Decree of the President of the Republic of Uzbekistan “On the action strategy for the further development of the Republic of Uzbekistan” dated February 7, 2017., № PD-4947 [online resource] URL: <https://lex.uz/docs/4355387> (Accessed 20 January 2020)
3. Decree of the President of the Republic of Uzbekistan “On the Measures for further enhancement of Anticorruption System of the Republic of Uzbekistan” dated May 27, 2019., № PD-5729 [online resource] URL: <https://lex.uz/docs/4355387> (Accessed 20 January 2020)
4. Decree of the President of Uzbekistan “ON MEASURES TO IMPLEMENT THE LAW OF THE REPUBLIC OF UZBEKISTAN "ON PUBLIC PROCUREMENT” dated September 27., №DPU -3953 [online resource] URL: <https://lex.uz/docs/3919892> (Accessed 9 April 2020)
5. Decree of the President of Uzbekistan “On systematizing the enhancement of the positions of the Republic of Uzbekistan in international indices” dated March 7 2019., № PD-5687 [online resource] URL: [https://nrm.uz/contentf?doc=581328\\_ukaz\\_prezidenta\\_respubliki\\_uzbekistan\\_ot\\_07\\_03\\_2019\\_g\\_n\\_up-5687\\_o\\_sistematizacii\\_mer\\_po\\_uluchsheniyu\\_poziciy\\_respubliki\\_uzbekistan\\_v](https://nrm.uz/contentf?doc=581328_ukaz_prezidenta_respubliki_uzbekistan_ot_07_03_2019_g_n_up-5687_o_sistematizacii_mer_po_uluchsheniyu_poziciy_respubliki_uzbekistan_v)

\_mejdunarodnyh\_reytingah\_i\_indeksah&products=1\_ (Accessed 15 January 2020)

6. Law of the Republic of Uzbekistan ‘On Normative Legal Acts’ dated December 24, 2012., № PD-342 [online resource] URL: <https://www.lex.uz/acts/2105726> (Accessed 20 January 2020)

7. Law of the Republic of Uzbekistan “On Combating Corruption” dated January 3, 2017., № LRU-419 [online resource] URL: <https://lex.uz/docs/4056495> (Accessed 20 January 2020)

8. Law of the Republic of Uzbekistan “ON PUBLIC PROCUREMENT” ” dated April 9, 2018., № LRU-472 [online resource] URL: <https://lex.uz/docs/3648311> (Accessed 7 April 2020)

9. Order of the Minister of Justice of the Republic of Uzbekistan "On approval of the methodology of anti-corruption expertise of normative legal acts" December 25, 2015., №2745 [online resource] URL: <https://www.minjust.uz/en/activity/npaprojects/96781/> (Accessed 20 January 2020)

10. The Criminal Code of the Republic of Uzbekistan dated September 22, 1994. [online resource] URL: <https://lex.uz/docs/111457#153014> (Accessed 28 January 2020)

### **International and foreign legal documents**

1. Federal Law of the Russian Federation “On anti-corruption expertise of regulatory legal acts and draft regulatory legal acts” dated July 17, 2009., № FL-172 [online resource] URL: <https://lex.uz/docs/3648311> (Accessed 15 April 2020)



2. Law of the Republic of Tajikistan “On anti-corruption expertise of normative legal acts and draft regulatory legal acts” dated December 28, 2012., №-925 [online resource] URL:[http://www.adlia.tj/show\\_doc.fwx?rgn=118662](http://www.adlia.tj/show_doc.fwx?rgn=118662) (Accessed 15 April 2020)
  
3. The Penal Code of UAE dated December 20, 1987., №-FL3 [online resource] URL:  
<https://www.adjd.gov.ae/sites/Authoring/AR/ELibrary%20Books/ELibrary/PDFs/Penal%20Code.pdf> (Accessed 15 April 2020)
  
4. United Nations Convention Against Corruption. [online resource] URL:[https://www.unodc.org/documents/brussels/UN\\_Convention\\_Against\\_Corruption.pdf](https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf) (Accessed 20 March 2020)

### **Relevant scientific articles**

1. Association of Social Anthropologists of the UK and the Commonwealth (ASA)., 2011. *Ethical Guidelines for good research practice.*, P.3 [online resource] URL:  
<https://www.theasa.org/downloads/ASA%20ethics%20guidelines%202011.pdf> (Accessed 15 March 2020)
  
2. Baker McKenzie, Anti-Corruption in the United Arab Emirates. [online resource] URL: <https://globalcompliancenews.com/anti-corruption/anti-corruption-in-the-united-arab-emirates/> (Accessed 8 April 2020)
  
3. Ball, C., What is transparency? *Public Integrity*, 11(4), 293–308. doi:10.2753/PIN1099-9922110400 – 2009.
  
4. Bevan, G. and Hood, C., “What’s measured is what matters: targets and gaming in the

English public health care system”, *Public Administration*, Vol. 84 No. 3. – 2006. pp. 517-38.

5. Corruption: causes, influences, and methods of fighting. Moscow State Institute of International Relations. *World and national economy magazine*, published by MGIMO MFA of Russia [online resource] URL: <https://mirec.mgimo.ru/2009-01/korruptsiya-prichiny-vozniknoveniya-vliyaniya-i-metody-borby2> - 2009

6. De Maria William, *Measurements and markets: Deconstructing the corruption perception index* // *International Journal of Public Sector Management* – 2008. – P.738.

7. Ellen Gutterman., *"The Legitimacy of Transnational NGOs: Lessons from the Experience of Transparency International in Germany and France"* (PDF). Paper submitted to the 84th annual conference of the Canadian Political Science Association.- 2012.

8. F.Galtung, “Measuring the immeasurable: boundaries and functions of (macro) corruption”, in Sampford / eds C., Shacklock, A., Connors, C. and Galtung, F., - *Measuring Corruption*, - Ashgate: Aldershot, 2008 - pp. 101-30.

9. Fakezas M., Toth I., King L., ‘An Objective Risk Index Using Public Procurement Data’, *European Journal on Criminal Policy and Research* 22 (3). – 2016. P.369 . [online resource] URL: [https://www.researchgate.net/publication/301646354\\_An\\_Objective\\_Corruption\\_Risk\\_Index\\_Using\\_Public\\_Procurement\\_Data](https://www.researchgate.net/publication/301646354_An_Objective_Corruption_Risk_Index_Using_Public_Procurement_Data) (Accessed 7 February 2020)

10. Jesse W. Campbell .,Public Procurement Policy in South Korea: Approaches to Sustainable Development and Anti-Corruption.,-2017. . [online resource] URL: <https://doi.org/10.1108/S2053-769720170000028007> (Accessed 10 April 2020)
11. Johnston M, *The New Corruption Rankings: Implications For Analysis And Reform* (Department of Political Science Colgate University).-2000. [online resource] URL: <[https://www.researchgate.net/publication/228848458\\_The\\_New\\_Corruption\\_Rankings\\_Implications\\_for\\_Analysis\\_and\\_Reform](https://www.researchgate.net/publication/228848458_The_New_Corruption_Rankings_Implications_for_Analysis_and_Reform)> (accessed 20 January 2020)
12. Jung-Yeop Woo, Uk. Heo, Corruption and Foreign Direct Investment Attractiveness in Asia // *Asian Politics & Policy* – 2009
13. Kierkegaard, S. (2009). Open access to public documents—More secrecy, less transparency! *Computer Law and Security Review*, 25(1), 3–27. doi:10.1016/j.clsr.2008.12.001
14. Lyrio M., Lunkes R., and Taliani E., ‘Thirty Years of Studies on Transparency, Accountability, and Corruption in Public Sector: The State of the Art and Opportunities For the Future Research’, *Public Integrity* 20 (5).-2018-P.527
15. Maíra Martini. Transparency International// Overview of corruption and anti-corruption: Uzbekistan.-2015. [online resource] URL: <https://knowledgehub.transparency.org/helpdesk/overview-of-corruption-and-anti-corruption-uzbekistan> (Accessed 15 March 2020)
16. Mark Beswetherick and Nicholas Braganza., UAE leads the region in fight against corruption. [online resource] URL:

<https://www.lexology.com/library/detail.aspx?g=a58e2dda-7dc6-4d5e-b095-150e5e2f4df7>. (Accessed 17 March 2020)

17. Mathias Bak. An Overview Of Corruption And Anti-Corruption In Qatar. 2020. - p.12-13. [online resource] URL: <https://knowledgehub.transparency.org/helpdesk/qatar-an-overview-of-corruption-and-anti-corruption>. (Accessed 15 March 2020)

18. Meijer, A. J. (2013). Understanding the complex dynamics of transparency. *Public Administration Review*, 73(3), 429–439. doi:10.1111/puar.12032

19. Noordegraaff, M. and Abma, T. (2003), “Management by measurement? Public management practices amidst ambiguities”, *Public Administration*, Vol. 81 No. 4, pp. 853-71.

20. Oh Yeon-Chil., SMART SECURITY FOR ETHICAL PROCUREMENT: Fingerprint recognition e-bidding in Korea. . [online resource] URL: [https://www.g2b.go.kr/gov/koneps/pt/intro/file/7\\_Fingerprint%20Recognition%20eBidding%20in%20Korea.pdf](https://www.g2b.go.kr/gov/koneps/pt/intro/file/7_Fingerprint%20Recognition%20eBidding%20in%20Korea.pdf)

21. The Governance-Access-Learning Network , The Galtung Critique of the Corruption Perception Index of Transparency International, Interview notes dated 14 October 2004.

22. Tina Søreide Bergen., Is it Wrong to Rank? A Critical Assessment of Corruption Indices, Chr. Michelsen Institute (CMI Working Paper WP 2006: 1) – 2006., P.13

23. Woo, Jung-Yeop & Heo, Uk. Corruption and Foreign Direct Investment Attractiveness in Asia. *Asian Politics & Policy*. 1. 223 - 238. 10.1111/j.1943-0787.2009.01113.x. – 2009.

## Non-scientific articles and internet resources

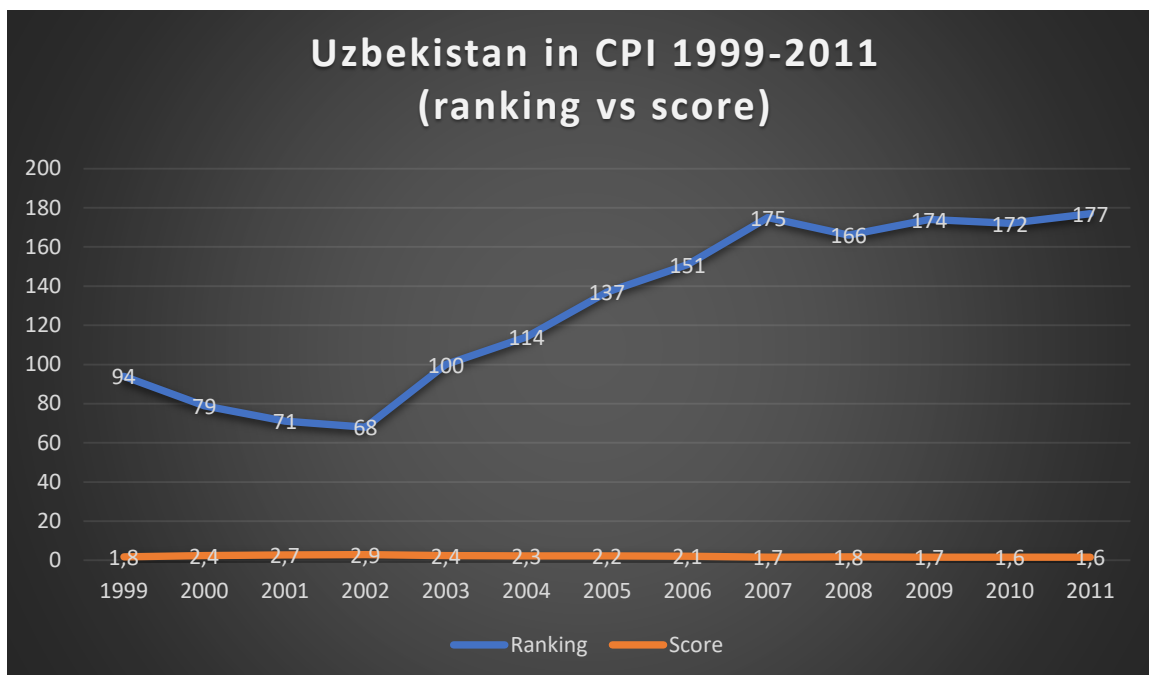
1. Anti-corruption reforms in Uzbekistan. 4th round of monitoring of the Istanbul Anti-Corruption Action Plan [online resource] URL: [https://www.oecd.org/corruption/acn/OECD-ACN-Uzbekistan-4th-Round\\_Monitoring-Report-2019-ENG.pdf](https://www.oecd.org/corruption/acn/OECD-ACN-Uzbekistan-4th-Round_Monitoring-Report-2019-ENG.pdf) (Accessed 20 January 2020)
2. Baker McKenzie, Anti-Corruption in the United Arab Emirates. [online resource] URL: <https://globalcompliancenews.com/anti-corruption/anti-corruption-in-the-united-arab-emirates/> (Accessed 8 April 2020)
3. Bertelsmann Foundation. Transformation Index BTI 2018 Country Report-Uzbekistan. – 2019 . [online resource] URL: [btiproject.org/fileadmin/files/BTI/Downloads/Reports/2018/pdf/BTI\\_2018\\_Uzbekistan.pdf](http://btiproject.org/fileadmin/files/BTI/Downloads/Reports/2018/pdf/BTI_2018_Uzbekistan.pdf) (Accessed 17 March 2020)
4. Business Anticorruption Portal, United Arab Emirates Corruption Report,-2018. [online resource] URL: <https://www.ganintegrity.com/portal/country-profiles/united-arab-emirates/> (Accessed 9 April 2020)
5. Business Anticorruption Portal, United Arab Emirates Corruption Report,-2018. [online resource] URL: <https://www.ganintegrity.com/portal/country-profiles/united-arab-emirates/> (Accessed 9 April 2020)
6. European Commission Internal Market and Services., EU public procurement legislation: delivering results Summary of evaluation report. -2011. [online resource] URL: [file:///C:/Users/User/Downloads/executive-summary\\_en.pdf](file:///C:/Users/User/Downloads/executive-summary_en.pdf) (Accessed 7 April 2020)
7. Freedom House, Freedom in the World 2019: Uzbekistan. -2019. [online resource] URL: <https://freedomhouse.org/report/freedom-world/2019/uzbekistan> (Accessed 15 March 2020)

8. I.Roumeen, Do More Transparent Governants Govern Better? World Bank. [online resource] URL:<https://elibrary.worldbank.org/doi/pdf/10.1596/1813-9450-3077> (Accessed 10 April 2020)
  
9. Integrated e-procurement system KONEPS in Korea. [online resource] URL: <https://www.oecd.org/governance/procurement/toolbox/search/integrated-e-procurement-system-koneps.pdf>(Accessed 10 April 2020)
  
10. Official website of the Permanent Mission of Republic of Uzbekistan to the United Nations. [online resource] URL: <https://www.un.int/uzbekistan/news/address-president-republic-uzbekistan-shavkat-mirziyoyev-oliy-majlis-0> (Accessed 25 March 2020)
  
11. Organization for Economic Cooperation and Development., Anti-corruption network for Eastern Europe and Central Asia The Istanbul Action Plan on fight against corruption, Uzbekistan: assessment and recommendations, - 2010. [online resource] URL: <https://www.oecd.org/corruption/acn/istanbulactionplan/46822558.pdf> (Accessed 10 April 2020)
  
12. Organization for Economic Cooperation and Development., Corruption in Public Procurement, - 2016. [online resource] URL: <http://www.oecd.org/gov/ethics/Corruption-Public-Procurement-Brochure.pdf> (Accessed 10 April 2020)

13. Organization for Economic Cooperation and Development., Istanbul Action Plans, Third Round of Monitoring: Uzbekistan Progress Updates, - 2015. [online resource] URL: <https://www.oecd.org/corruption/acn/Uzbekistan-ACN-Progress-Update-March-2015-ENG.pdf>(Accessed 10 April 2020)
14. Organized Crime and Corruption Reporting Project. [online resource] URL: <https://www.occrp.org/en/daily/11867-jailed-uzbek-princess-gets-further-prison-time> (Accessed 15 March 2020)
15. S.Roque, Vimpelcom Fined US\$ 795 Million Over Uzbekistan Telecoms Bribes. [online resource] URL: <https://www.occrp.org/en/investigations/4958-vimpelcom-fined-us-795-million-over-uzbekistan-telecoms-bribes> (Accessed 10 March 2020)
16. The official website of the Ministry of Foreign Affairs of the Republic of Uzbekistan [online resource] URL: <https://www.mf.uz/home/o-ministerstve/press-sluzhba/minfin-news/4704.html> (Accessed 25 January 2020)
17. The official website of The U.S. Department of State. [online resource] URL: <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/uzbekistan/> (Accessed 15 March 2020)
18. The Official website of Transparency International., Corruption Perception Index 2019. -2020., P.16 [online resource] URL: <https://www.transparency.org/cpi2019> (Accessed 17 March 2020)
19. The official website of UNDP in Uzbekistan. [online resource] URL: <https://www.uz.undp.org/content/uzbekistan/en/home/projects/preventing-corruption-through-effective--accountable-and-transpa.html> (Accessed 15 March 2020)

20. Transparency International e.V. "Transparency International – What we do". *transparency.org*.
21. Transparency International. Report on corruption Perception Index 2019.- 2019. [online resource] URL: <https://www.transparency.org/cpi2019> (Accessed 20 March 2020)
22. World Bank (IDA), “Country policies & institutional assessments”, - 2005 [online resource] URL: <http://siteresources.worldbank.org/IDA/Resources/CPIA2005Questionnaire.pdf> (Accessed 19 February 2020)
23. World Bank., Improvement of the Public Procurement System in the Republic of Uzbekistan. – 2017. [online resource] URL: <http://pubdocs.worldbank.org/en/816741495971667917/Uzbekistan-13th-PEIMO-Forum.pdf> (Accessed 10 April 2020)

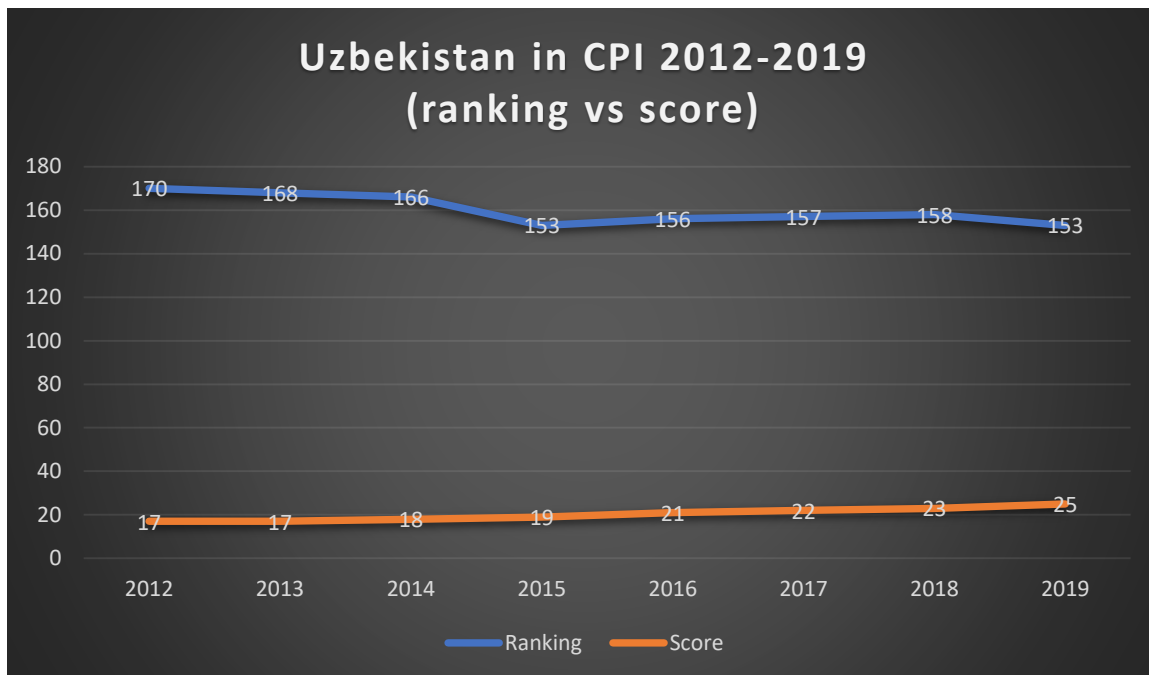




**Ranking: 1 (least corrupt) – 182 (most corrupt)**

**Score: 0 (highly corrupt)- 10 (very clean)**

Year	Ranking	Score
1999	94	1.8
2000	79	2.4
2001	71	2.7
2002	68	2.9
2003	100	2.4
2004	114	2.3
2005	137	2.2
2006	151	2.1
2007	175	1.7
2008	166	1.8
2009	174	1.7
2010	172	1.6
2011	177	1.6



**Ranking: 1 (least corrupt) – 198 (most corrupt)**

**Score: 0 (highly corrupt)- 100 (very clean)**

Year	Ranking	Score
2012	170	17
2013	168	17
2014	166	18
2015	153	19
2016	156	21
2017	157	22
2018	158	23
2019	153	25

### Index

Anticorruption state policy and corruption prevention in Uzbekistan;

Bribery;

Business accountability;

Challenges of conducting semi-structured interviews and group discussions on corruption;

Conflict of interests;

Consideration of ongoing political and social situation in Uzbekistan;

Corruption Perception

Cultural norms and their relevance to corruption;

Ethics and integrity in public sector;

Internal (psychological) and external motives for engaging in corruption;

Legal unawareness and its challenging aspects for citizens;

Public procurement;

Rule of law;

Sensible topic discussions and emotions;

Transparency and corruption;

Transparency in public sector;

### Interview 1

**Date:** 1 April 2020

**Interview method:** Semi-structured online interview (zoom platform was used)

**Duration:** 27 minutes 40 seconds

**Participant:** Zamira (name is changed by the request of the interviewee) – researcher in public sector in Uzbekistan, PhD student

#### **Transcription:**

Interviewer: *Can you please briefly introduce yourself and your professional background?*

Interviewee: I am person with background in both public and private sector. Previously I have worked in different organizations within both sectors. Mostly I have professional background in public sector. But, today I will represent myself as a citizen, so that all answers to your questions will be my personal view and mostly they will not be affiliated with my job or professional background.

Interviewer: What is your opinion about the transparency level of governance in Uzbekistan ?

In General, I believe that the system of transparent public administration is not developed. We are still only providing. But there is also a lot to say about international organizations and the public sphere. This is just one example of the fact that in fact all work international organizations that operate for example in third world countries. You can see what their transport system is. More precisely, it shows how it is all carried out. But in fact if you follow the system repeat who takes the same grants and everything else then we can see a certain amount of what the same organizations get the same people. What about the objectivity of efficiency and why is this necessary? No one asks a question about this but here

the question is of course because to foreign representatives who are in principle interested in the money that they received she left. And the national representative is interested in getting this money. Therefore, there is also something that has not been said and why I conducted this particular example because the work of the state is exactly the same today. We talk about transparency but we don't talk about open budgets about everything else. In other words, the provision of information guarantees transparency in the public sector.

Interviewer: Well I understand. Now the next question. So *do you think there are any problems in the public sector in Uzbekistan with the transparency of their work? or even compliance with certain rules of transparency; for example, the implementation of any programs or the provision of services to citizens. Is there a problem with transparency?*

Interviewee: Yes there is. Let's take an example of what we are facing. Take for example the analyses of local authorities ' websites. What they do and everything else. Let's say that today the site is the resource that should in principle be used by citizens. The basic information that is provided to us there is not accurate. That is, a citizen who wants to call some Deputy Manager in a public organization and so on, he did not get through because there is no exact data and this all leads to a certain corruption, as there is a lack of awareness of citizens.

Interviewer: *How does the level of citizens ' power of attorney relate to transparency in public administration?*

But this is actually in the state sites should be provided with certain information and a strategy for a certain budget . And if, accordingly, these data are not available, certain manipulations begin on the ground that lead to corruption. For example the farmer here as a person who absorbs information has a certain

ignorance of what is actually required of the state. And people who sit in their seats they use this ignorance and their powers accordingly.

Interviewer: *So it's all really connected?*

Interviewee: Sure. And you know I sometimes think I shouldn't have opened this topic for example in our youth policy why I'm for open grants and closed open projects. For example, some officials randomly take up projects that are interesting to them. What do young people want? first question. The second question is, well, if this is youth policy, let's understand in General how many projects should we implement and what amounts? Why we can't openly provide why we can't make an open tender for a youth organization that is providing information is very important for getting people's trust.

Interviewer: It became clear that I completely agree with you. Yes of course I remember everything perfectly. Now, then, the next question. *Have you ever watched themselves some sort of say corruption process. Whatever it is or with elements of corruption. If so, what do you think the person who committed this process is involved in this process that prompted such an act?*

Interviewee: Lack of resources and lack of living conditions. Lack of resources in the sense that people who commit certain corruption-related crimes are mostly people who need Finance or things. these are people I've encountered. This suggests that in principle it means that the state went wrong. Maybe it's related to wages. if a person had a decent existence he would never think about corruption. For example, Singapore. raised wages. And if a person meets their needs and all the resources that they get they are enough. he would never do it. This all suggests that a person has a desire to live better because she sees everything. And I think over time this corruption will become less it will become more but maybe it looks different somehow also good. you know we know a lot of ways how you can survive how you can survive in this world and how people actually adjust. I don't

know if this is the right thing to do, but I'll give you one not-so-good example. I always admit that I encountered corruption when I was at University. But I never gave them resources because my blue diploma is a proof of this in principle. But I want to say that today when higher education is developing in the state there is a certain system when we believe that outside the borders they believe that everything is transparent in principle and even in such cases they manage to find protected ways. But the main reason for this is precisely the solutions that are not enough to exist.

Interviewer: Well you very correctly noticed that it is the internal motives of a person that lead him or his internal needs say such personal needs that motivate him to certain acts of corruption. Well, what about the conditions that are created for this corruption. *Maybe somewhere something is not working correctly in the system ? or let's say in the legal sphere or in General in the scheme of providing public services that lead to the possibility that a public person he received a certain bribe let's say. So maybe there are some problems that create a good platform for the development of corruption schemes?*

One smart person is not in the public sector. A very good position is a very simple thing. You know the legal system is so well built that anyone who understands it well can make money dishonestly. I mean I think it's a problem where there is a loophole that smart people in principle always find and use well. Today, there are a lot of these loopholes in developing countries that are daily hourly every second. Every decision you make can be found to be a loophole or be linked to money laundering.

Interviewer: *So you mean that the documents that are accepted they are no longer very well pass through the anti-corruption examination, respectively, they carry with them the nature of legislation that is on a daily basis provide an opportunity for people to commit some corrupt actions and at the same time in the law within the law?*

I will give you an example that now it turns out that masks medical masks according to the decree left the list. And now there is a question, in fact, a lot of questions. Why and to whom it is profitable. Who can use it correctly. Okay we are talking about the fact that now the need for masks is very high so that there is competition in the market and so on. We did so, OK justifies. But the question is different. And to what extent do the masks that are produced and that have entered the market meet the requirements and provide security to the citizens of Uzbekistan? The next question is who is interested in producing and in what interests are brands produced in such a huge number? You know why I raised this question, because in order to produce certain medical products, this is a lot. In other words, this is a very long way. That is, the permission of the Ministry of justice there is everything else that is a long way. And to remove this only one way from the list by a single decree. In other words, certain interested people are already singled out, and so on. This is the system itself and one small example. We can say that there is some corruption. There is a way that we can make it so that our citizens do not get a decent one but at the same time we as people who sit at the top allowed it. Again everything comes to the point that there is a problem with the anti-corruption examination of documents adopted by the state government. In fact this is a very important point you raised because I will also say in the study that Uzbekistan does not even have a separate Committee that would conduct this examination. In other words, the anti-corruption examination is conducted as one of the other 17 examinations of any document within the Ministry of justice. In other words, to make it clear to everyone, one person will read and say there are no corrupt elements here, that is, this document cannot create any corruption. there are no loopholes.

Interviewer: That is incorrectly have to be complicated-built circuit analysis I with you completely agree. Now let me ask the next very interesting question or two. *What do you think if transparency in the state administration say or in any administration even in international public organizations large in Uzbekistan the*



*level of transparency is raised everything is open clear correct will people continue to want to corrupt others?*

I think that, you know, we have never tried to do this-to build a transparent Uzbekistan. I say that we only provide information but we do not give the population a transcript. For any society there must be a certain habituation. Today it gets used to information tomorrow it will demand information it will remember. Do you know what's going on? first of all, it seems to me that we need to provide these conditions to citizens. So the most important thing is not the solution to the problem now - quality and comfort. Today's quarantine will change our society a little. We have seen a lot and analyzed various videos when people were beaten up and when people did not treat him disrespectfully. Because there is a certain corruption in healthcare and people know it. It seems to me that transparency which will go in the same direction which will continue to go even better because we are now talking about at least some discussion of our budget we are talking about some kind of transparency. We provide people and people in principle they get and this morning people Wake up they already want to know immediately how many people for example got sick with coronavirus. This is certainly strange. But people want to know and people know where to get it. And if for example you provide this information people are already starting to write listen to people and where what how much what because they are already used to it. It seems to me that this is the process of getting used to. And then the next time I came to this, another such social example. In other words I think we should promote this policy of providing information providing certain transparency to our citizens in order to start and then start asking questions and then maybe we will come to the point where we are talking about the effectiveness of the state. People's perception of corruption is influenced by many things, including culture, society and the mass concept of everything, but if the level of transparency in the state is high, then people will have confidence in the authorities. Trust means less interest in corruption among the population.

### Interview 2

*Date:* 10 April 2020

*Interview method:* Semi-structured online interview (zoom platform was used)

*Duration:* 27 minutes 40 seconds

Participant: Akhmadjon Rikhsiboev, Deputy-director of Uzbekistan State Unitary Enterprise " Center for Development of Information Technologies and Information Resources"

### Transcription:

Interviewer: Question. *What comes to your mind first when you hear about transparency in public administration or just about transparency in any management?*

Interviewee: You know first of all come the words impossible. Impossible. Why? because, to put it simply, transparency is impossible. Even glass the most transparent glass has a certain coefficient. So I also believe that it is impossible to ensure absolute transparency in any Department absolutely in any Department including the Department. It is impossible, it is not profitable either economically or socially or in any other way it is not profitable. But I would say the part that concerns society the part that directly concerns public life. Public activities, education, and health care should be transparent. The state must ensure transparency in these areas. The state has a task not just to ensure a good life but also to protect its citizens. There is such a task to protect your border your interests in a world where all resources are limited and everyone has their own interests. of course, there are all kinds of conflicts. To resolve these issues, of course, we are applying to diplomacy. And this part of government which is called protecting the interests of its citizens it of course can not be completely transparent because of the fact that certain groups that have a conflict of interest with this state will be

able to use this information against the same state. But as they say if you are informed you are armed. forewarned means armed. It can be said in General terms but such detailed transparency in the social sector as for example healthcare as we have already listed education at all levels from preschool to Academia they should be absolutely be transparent how much these institutions earned if they are state institutions how much was spent on them what services they provide. I would say that a lot has been done recently, for example, you can't take a report, write a seal, and you can't travel with it. Because they won't accept it from you. Now we have all invoices electronic and use the blockchain system. This system gives everything and gives for example one database one database but it can be infused with information to change the information. This database duplicates in different organizations each organization must agree to have certain information it is not possible to change the information unilaterally.

Interviewer: You just mentioned the progress and progress of transparency. transparency in the way to transparency in the public sphere generally speaking are there any specific problems now related to transparency in the public sphere. In Uzbekistan this may have something to do with for example as you said with the Academy or with health care. For example, *it happens that people who have the right to free medical care are simply underinformed and, accordingly, they go for corrupt acts, go for bribery. Or do they pay certain bribes based on their local cultural norms?How do you see it?*

Interviewee: I would say that anti-corruption or transparency is not a new word for Uzbekistan. This has always been the case with us, as with the rest of the world. We've always published our GDP earnings and all that. We have always fulfilled our obligations honestly. but the surge is so much excitement around Uzbekistan about the fact that Uzbekistan is being formed and all that. This is such an informational noise. We had it but now certain groups that cover the activities of the Central Asian States of Central Asia the Central Asian States they

have now started talking about the reforms that are beginning in Uzbekistan. I would even say so why I will give an example. There were meetings when representatives of the United Nations or other international organizations directly and in most cases often groundlessly accused the country's leadership of certain sins. This indicated the awareness of these individuals. I admit there were mistakes like everywhere else. Now let's go back to our issue of transparency. I believe that the information that is published about the country around the world in open sources it should be strictly filtered and any developed countries do so. No country that is part of the G8 and G20 directly publishes the statistical information that they possess. Transparency supposedly in quotation marks provides everything. But the question remains how true this information is how much truthful information the state has put out.

Interviewer: do you Think that the reason that people doubt the veracity of certain information is published by the state or state bodies say not by the government but by state bodies. *Is there a cultural background? Does local culture somehow influence distrust at a certain state level?*

Interviewee: Of course it does. You see, trust is a feeling that each person has individually. and of course his upbringing, where he grew up. Well roughly speaking his neighbors and classmates affected by the fact that he to believe or not to believe. it is the choice of each person to believe or not to believe. This is such an abstract abstract concept which I would say is the expressed sword of the jurisprudence of the United States. I do not know of a country where there is no bribery. Any state that says it doesn't have corruption-I don't believe it. If in this state there is no corruption at low levels then pay attention to a very high level. That's where they will be just in a frenzy. Because there is always a conflict of interest. Always a person subjectively he always has to make one decision if there are five companies that need to who want to fulfill a certain order then there is already some conflict of interest. You have to make certain decisions. And these

firms in the conditions of capitalism are the driving force in favor of which even politics is inclined. Well, because you know our first President said economy first and then politics.

Interviewer: *And have you ever observed, say, the same actions, where there are elements of corruption in everyday life ?*

Interviewee: I studied I watched it I not only watched it and of course I'm afraid to say it but I admit I paid bribes. I didn't take them I didn't take them but I gave them money. You understand the question. I'll tell you what kind of education system we have. It is difficult to go to University and easy to finish it. When you enter a University with a certain baggage to pass the entrance exams you must pass very well these three subjects you must know very well. Of course, I was visiting student I admit it. but I was a knowledgeable student. I knew this before I went to uni. but I will tell you so I was for example too lazy to fill out a notebook

Interviewer: *What motives did you have that you had to pay a certain amount of bribes? what were the motives behind these actions?*

Interviewee: Laziness and laziness. it's just laziness. You see I said the bribe does not affect the culture is understood. Here is for example I have in my University in my course for example studied representatives of different Nations of different Nations. I even had foreigners who studied with me I don't believe it. but their culture their environment how they grew up is completely different from our education that I was given for example and the education that was given for example by the Koreans in the frame who grew up in the homes that you said it is different. but all those who give bribes are too lazy to learn or fulfill certain requirements. That's how I used to say just human nature. here is if you for example on subject physics or concerning subjects side namely list of subjects I

never no one bribes not gave I skipped a frenzied number of lessons. But I always came and said I know the subject I won't give anyone anything because I passed all your exams and all their requirements because I didn't come to classes I was absent from lectures a lot and all that stuff. I gave an argument that says my task is not to come to class. my task is to get up and pass the exams I passed and passed the exam. And those subjects that I was not interested in for example in my specialty I gave lectures. For example, why do I need an electrician? I don't know any history of religions for example.

Interviewer: it is Well noted that everything depends on a person and can also be to some extent on the environment. Well, according to you, culture has a very large influence on the motives of a person who leads him to certain acts of corruption. Now my last question is *do you think there is a definite link between the perception of corruption and the level of transparency of governance? If everything is transparent will people stop paying bribes when they are informed when they know all their rights or will this continue ?*

Interviewee: Corruption is like a cold, it's certainly unpleasant but it's natural. I believe that completely eliminating corruption is a utopia. It's impossible. Impossible in the current reality. Why? because it depends on each person's upbringing and upbringing, respectively, depends on the environment and the people around them. Without ideology, it is impossible to re-educate people and ensure the anti-corruption orientation of society. It is impossible to reduce the level of corruption. I would say a strong decline. There will still be a certain reduction process. Why people will know their rights more better and they will pump them though their rights.

### Interview 3 (Group Discussion)

*Date:* 18 April 2020

*Interview method:* Semi-structured online interview (zoom platform was used)

*Duration:* 25 minutes 40 seconds

Participants: Anora, researcher ; Nodirbek senior specialist of legal expertise of legal acts in the Ministry of Justice of Uzbekistan. (both names are changed by the request of the interviewees)

Transcription:

Interviewer: *What do you understand when you hear the concepts of transparent government or transparent governance in general?*

Participant 1: Well, let's start with the very concept - that we are very close to the fact that everything is very transparent, everything is very clear. not confusing, but today, as if society, it often hears the word, it often hears different phrases like transparent politics, transparent actions and all that. but in fact this is not always realized. and there are two points here, I would say the first moment is that the measures taken by the state are not always namely transparency itself.

And the second point is that these measures exist but the society does not perceive them so much, or there are times when the society does not want to take them because it is no longer convenient. that is, if transparency is being introduced into society, Society needs to be rebuilt; it is not always ready for this. our society is very stubborn when it concerns the topic of changes, especially when a certain way of life has evolved over the years and here you need to change everything once and then it is a bit like shock therapy. and people they try to go around or later find workarounds

Participant 2: Considering the fact that Uzbekistan is one of the states of the former Soviet Union, it's harder to introduce openness and transparency, since our people are already used to it. gradually. Difficult because our people always react negatively to this. I can tell you a striking example that recently our minister at the conference voiced how much our employees get paid when the discussion started with us, the rest began to resent why they get so much, do they deserve it. Well, forgive me for the fact that those who say this, they do not know what we are doing, how much effort and time we spend on our business.

They do not know what responsibility we take when we do this work. Is civil servants worthy of paying only salaries? They work a lot and spend much more time than expected due to the volume of tasks. For example, in the private structure there are no restrictions on working hours, but now we do not have such strategies in the state structure, since we have limited working hours and we do not have such a base. If the worker is late then he receives punishments in the form of fines as if we are in our army. When we are working so hard why do not we deserve to get a normal salary? it is with regard to the general transparency in our society, I will formulate differently, in a society where such development is taking place, there must be transparency of such a level that everything should be to the people.

But there is such a delicate aspect, for example, the state has its own secrets. the organization has its own, even the ordinary private entrepreneur has its own documents, procedures which he does not want to tell anyone about it. I believe that transparency should be

Interviewer: I see. *Based on the results of your discussion, I want to say, based on the results of your answers, what a very high, very high level of transparency means, it also does not quite fit our cultural context in Uzbekistan. Could you continue your thought please ....?*



Participant 1: I will continue. but to say that we are not ready for this at all or that it is not necessary at all, I think it is wrong because it is to some extent necessary but it needs to be done in stages. Because when you tell everything right away, it turns out that it's very difficult to convey exactly the way you want, and when you hide everything again it turns out that misinformation comes from the fact that people themselves think what is happening there and it turns out that it's very easy to manage society in this aspect, that is, for example, the opposition or, so to speak, radical societies. they can, through the fact that they will disseminate misinformation, they can turn people against the state itself due to the fact that there will be no openness on the part of the state to society and it will be, as they say, it will all take shape so it says, look, see the state it was created for the people let the deputies understand and we have senators, we have democracy here. Democracy means the power of the people and the state hides everything and the society begins to think how it means they're doing something like that, it turns out, and if at this time the state begins to open, that is, saying Okey works in this area like this, like this , like this, here in this sphere everything goes like this for us, but this process consists of these stages who will be hard pressed to negatively set the people themselves against society, against the state.

Participant 2: here I want to say, since I work in the sphere of normative creativity, we are engaged in conducting legal expertise of normative legal acts of projects. and when the project comes to us. first of all, they look to see if this project is agreed, more precisely, we have a portal (regulations.go.uz) is a common portal. Projects will be placed there so that people get acquainted with this project or what's new in the project. We look if it is, then we will watch it and if not, then return it to the contractor so that the developers upload it to the portal so that the people know and realize what is happening. But I agree with C. what she said but it is necessary to establish such measures so as not to tell the people. for example,

some kind of official how much he earns, what kind of car he drives, what preferences or preferences she has, but you need to tell how he does his job, about the process of the process itself. The people must find out. For example, it has become popular with us that all public services are provided through the center of the state of services in cities and regions. and so we tried to make this procedure known to all. They published it and distributed it to all the people so that they know how this procedure goes so that they don't come to our employees and begin to express their complaints. and so that he knows that it takes three days, for example, within three days he will receive what he wants, so that he does not come in a day, he will ask me to give it quickly.

Interviewer: *I see, it means, regardless of the culture of local, local culture, if everything is absolutely spelled out in black and white, then, in principle, can somehow reduce the number of corrupt different schemes?*

Participant 2: Yes, of course you can

Interviewer: Thanks. The next question. *Have you ever yourself observed any corruption acts or a process defined with elements of corruption? If so, what do you think motivated a person to go into this business, let's say crimes or such a negative motive. if not, is everything so perfect in our society?*

Participant 1: but I'm afraid to answer.

Interviewer: *daily little corruption that occurs every day, for example, say corruption in higher education institutions or corruption in health care. maybe you saw the process when at all let's do this. why do you think why do people go for small corrupt bribes, let's say why people give bribes when they shouldn't give it. Do you think there is something culturally possible, let's say the motive behind these acts*

Participant 2: see what you said T. you must first answer all corruption and gratitude. For example, what you said in the health sector, when we go to the doctor he will examine us, but at the end he will send us a certain amount as a thank you, it's not corruption, it's not a bribe, it's just gratitude. If we don't thank him, he will also do something that we put in his pocket, for example, a couple of thousand soums and he will examine again, there isn't such a thing. In this case, this is not corruption, it is not a bribe, it must be distinguished. but unfortunately in our legislation there is no clear concrete border for this. For example, in this case it is considered corruption and in the other case not, unfortunately there is no such distinction. But now a lot of things are happening here, people think the prosecutor is a corrupt man, a doctor is a corrupt man, he takes money, he does not take money, the doctor simply contributes to his pocket. the person who is grateful for his services is still the same, we pay the state duty for the fact that we receive conditionally some kind of well this is the same.

Interviewer: good, but you pay taxes and health care under the constitution turns out that in Uzbekistan it should be accessible to the entire population and free of charge.

Participant 2: Yes, and he is, he does not demand to give him money as a thank you but it's not corruption, but if he says give me that much money then I will examine you or write directions to him there, the nurse will give an injection - this is already other corruption. And the fact that after he did the examination and cured and we just give something as thanks for something, then this will not be considered corruption

Interviewer: I see, but you don't think that gratitude can lead to corruption in the future?

That is, if one doctor was thanked or thanked for five years by the 6th year of work, he already gets used to it, if the patient comes and does not pay, then maybe the second time he will not be quite good with this patient because he will extort money directly or indirectly

Participant 2: Yes it can be. But we have bodies that comply that monitor this. That's when they identify such cases, they initiate criminal proceedings or are prosecuted.

Participant 1: I would divide this issue into three areas, that is, in the first case, as my colleague noted, this is precisely the culture mentality. One of the examples we can give, for example, maternity hospitals when a woman gives birth and her husband or her relatives come and they give the doctor money. but at the same time they give away as corruption schemes as a bribe - we call it "Suyunchi". And again, we have many such moments when people give money, and it doesn't exactly mean that they want to bribe a person, it all refers to the fact that for example, by some indication from our grandparents, give the money, the child will be healthy, give This person's money will develop and go very well. No matter how the people themselves, society itself, it does not perceive it negatively, but it encourages it. We agree with this. Moreover, I have already said there is a religious aspect and mentality.

And the second moment. the second moment we can characterize as it's convenient for a person. Here, for example, there have often been such cases that a person can for example violate traffic rules, it's not necessary to bring down a person, it is not necessary that something is so serious. Well, for example, I stopped 50 meters from the sign under the wrong sign, I apologize. here comes the representative of the traffic control service, so to speak, and says that you have violated. according to the article of the administrative code, the fine will be in the

amount of, for example, say a million. and at this moment a person begins to think so it's easier for me to pay him now 200 300 thousand than he will draw up the protocol now, then I'll take this protocol to go to the traffic police to pay for fear and then it's all fixed in the database so I'm better off already and we'll all be gone shake hands with each other and that's it. My fine is not fixed in the database, well, and he is because he has extra money. this is the second moment. Again, it's convenient for society because society saves money and society saves time and society creates good relationships. because very often it happens that now our wanderer has come across, they have become friends. the next time he makes fear, they already so talk together will pay again to each other and disperse. The third moment, the third moment is a forced moment when people they really commit crimes are spending bribes and this is due to the fact that we have such a moment namely vertical power. that is, an example can be given when an entrepreneur wants to open his own business or he needs to register a foreign trade contract or he needs to write out his goods that are stuck in a customs warehouse and due to the fact that he has a deadline for his customers or he soon has spoiled goods he goes to an official . and to speed up the process, he asks the official for help. The official knowing that he has the power if he doesn't sign a document right now or if he doesn't allow the deal, this entrepreneur will break and using his power, he begins to force the person to give him all this very badly and is not encouraged. So to say society. but the problem is that society is also a little used to it. Now, at that time, reforms began, a very strong policy began, and it was the anti-corruption policy. and you can already observe how people, for example, compared to ten years ago, they already react differently. if, for example, in 2010, he said, let me don't solve the money for him, now he says so I'll call the higher authority that controls you and you will be responsible for your affairs.

Interviewer: I see, thanks alright. *My last final question, do you think there is any connection between the level of corruption in society or the perception of*

*corruption by society and transparency in the public sector when doing business. Is there any connection between the level of perception of corruption in general by the level of corruption itself and the openness of doing business in the public sector? That is, how much transparency affects the level of corruption in society.*

Participant 1: which means the level of perception of transparency, so to speak. I think it's not at all separate how to say separately living spheres, but how high or low the level of perception of corruption is and how it affects transparency itself, the more open the state, the stronger will be the policy of transparency in state bodies and in general in all spheres of life, the lower will be the level of corruption in the state itself. Because of transparency, again we return to the very concept of transparency, that is, when a person does not have to resort to some services, resort to some fraud in order to see what is already happening.

Everything happens very obvious and very clear. We can give an example of the fact that when everything is very sorted out so to speak, when everything is openly already a person, he himself will be afraid to decide on certain criminal acts such as giving a bribe, receiving a bribe. Well, because it is impossible because there is control on the part of society because there is control on the part of state bodies.

Participant 2: that I don't know why, I don't see the connection between them. The fact that openness helps to reduce corruption, for example, cannot, so some kind of government official will come out and say so, I took so much money from someone yesterday. Usually, such things appear after they catch and judge you and then it appears in the media that, for example, it was about cases when the assistant was caught in corruption. When he was already caught and condemned then they were told in the media, well, that's already another, after that. and the fact that this is what he is doing in state structures, I'll say what he is doing openly, all this will not help to reduce corruption. look, he's coming out, for example, every day his plan, for example, comes and goes from work, and if this is

advertised to the whole world, how can this help reduce corruption? I think that this will not help in any way, that he does his work and signs documents and that's it. Or take some sort of official from an accomplished person. usually, employees here is what the customs officers said, we sometimes remain in the customs warehouse for goods. There were such cases with me, too, that if you show what an employee is doing to the world and society, they need to understand that he also has work and not just sit and watch a movie, he can do his work, he works and physically does not have time to consider all the documents for the day. This will not help reduce the level of corruption; it will help simply that society understands this person; I sympathize with him for the fact that he works so hard and starts to treat him in a good way. But still, for some reason, the connection I do not see between them should open to help reduce corruption.

Interviewer: ok thanks a lot for the discussion. do you have something to add to the last said answers. I do not know. everything seemed to go smoothly. I expressed my opinion I said a lot of good.