



THEORETICAL BASIS OF THE FIGHT WITH CORRUPTION

Jurayev Farruxbek Akmaljon o'g'li

Master's student at Tashkent State law university

Article history:	Abstract:
Received: January 1 st 2024 Accepted: February 28 th 2024	The fight against corruption remains one of the most pressing problems in the modern world. The fight against this scourge extends to many countries around the world. Systematic work is being carried out in the Republic of Uzbekistan to combat corruption.
Keywords: Development strategy, Law, corruption, institutional framework, fight against corruption, international norms, corruption offenses	

INTRODUCTION

The fight against corruption remains one of the most pressing problems in the modern world. The fight against this scourge is spreading to many countries around the world. The Republic of Uzbekistan also contributes to the fight against corruption.

Corruption is a factor complicating the implementation of the Constitution and laws of the Republic of Uzbekistan, international human rights standards that serve to ensure human rights and freedoms. The scale of corruption has a negative impact on economic development.

Corruption seriously hinders the work of the State mechanism as a whole and various organs of society, slows down social changes and restricts economic development. In political life, corruption leads to public distrust of public authorities. In the international legal space, a high level of corruption automatically leads to a significant decrease in the investment rating of the state. [1]

The main directions of the state policy in the field of combating corruption are:

- increasing the legal awareness and legal culture of the population, forming an intolerant attitude towards corruption in society;
- Implementation of measures to prevent corruption in all spheres of life of the state and society;
- timely detection, suppression of corruption offenses, elimination of their consequences, causes and conditions that contribute to them, ensuring the principle of inevitability of responsibility for committing corruption offenses. [1]

As the President of the Republic of Uzbekistan Shavkat Mirziyoyev noted, "The development strategy of the New Uzbekistan provides for building a country free from corruption. Today, this goal is becoming the unifying factor of our society." [2]

Corruption is the biggest obstacle to the realization of personal, political, social, economic and cultural human rights. Corruption violates the principles of openness, transparency, accountability, non-discrimination and protection of human rights related to their participation in all spheres of public life.

Consistent measures are being taken in our country to implement a system of prevention and uncompromising fight against corruption based on advanced international standards. In particular, the necessary conditions have been created for effective and efficient public control over public administration by ensuring openness, transparency and transparency of the activities of State bodies and organizations, as well as accountability of officials to the public.

In particular, the institutional framework for anti-corruption and prevention activities has been established. Committees on combating corruption and judicial and legal issues have been established in both chambers of the Oliy Majlis, and state anti-corruption programs have been developed and implemented. The Republican Interdepartmental Commission on Combating Corruption and its territorial interdepartmental commissions have been reorganized into the National Council of the Republic of Uzbekistan on Combating Corruption and its territorial councils. A working body of the National Council, the Anti-Corruption Agency, has been formed. The Agency is tasked with ensuring the joint activities of government agencies, the media and civil society institutions.

National anti-corruption legislation has been brought into line with international standards. Important steps have been taken to implement the provisions of the UN Convention against Corruption into national legislation and law enforcement practice. The adoption of the Law of the Republic of Uzbekistan "On Combating Corruption" in January 2017, in order to effectively combat corruption, made it possible to create an integrated system by combining the efforts and capabilities of state bodies and civil society institutions in the fight against corruption.



LITERATURE AND METHODOLOGY:

The ideas for the systematic development of legal means of combating corruption were developed in a significant number of works by E.R. Rossinskaya, A.V. Konova, P.A. Kabanova, V.V. Sevalneva, V.I. Kuznetsov, Yu.V. Truntsevsky, A.V. Gabova, A.M. Tsirina and others.

In the works of Western scientists O. Huss, A. Keidel, L. Reisber, E. Schmidt, Akhmedshin N.H., Grib V.G, Campos E, D. Huston, O. Sanchez, I. Liprandi, D. Madison, V. Ovsin, A. Buksman.

In the works of Uzbek scientists such as Ziyodinova Z.N., Tolibov Z.R., Nodirkhonova N.N., Belyanova E., Nikolaenko S., Pain E.A., Sharafutdinova D.E., Komlyk V.V., Begunkov I.D., Nishonov F. A, Yormatov.

Corruption is one of the oldest phenomena in social relations, located on a parallel level with the social order that governs the lives of people, regardless of the specific form of this order. During historical development, corruption constantly undergoes changes and evolves, adapting to new conditions associated with the development of political and economic systems. In the modern world, corruption is a significant and pressing problem for almost all countries. The preamble to the UN Convention against Corruption emphasizes "the seriousness of the problems and threats posed by corruption to the stability and security of society," emphasizing that this phenomenon undermines democratic institutions, ethical values, justice and harms sustainable development and the rule of law. It is also noted that corruption has ceased to be a local problem and has become a transnational phenomenon affecting society and the economy of all countries. Currently, in all countries of the world, the issue of combating corruption, suppressing its manifestations and developing effective anti-corruption policies remains a priority as an extremely relevant and vitally important task.

In the course of their evolutionary development, states and society, taking into account various objective and subjective factors, create means of combating corruption and evaluate their effectiveness at various levels of government, including federal, regional and local.

The term "corruption" comes from the Latin word "corruptio", meaning corruption or bribery. This is an illegal act consisting of direct abuse by an official of his powers for the purpose of personal enrichment. Also, the term "corruption" is used to characterize the phenomenon of bribery of officials and their propensity to accept bribes.

Corruption is a phenomenon that is difficult to define with a single definition, as it takes many forms and manifestations. There are varied definitions of

corruption in different contexts and areas. Here are a few main ones:

1. World Bank definition:

Corruption is the abuse of power for personal gain, which may include deviation from legal norms and duties.

2. Transparency International definition:

Corruption is the abuse of trust for personal gain, usually involving the use of power to obtain illegal benefits.

3. UN definition:

Corruption is a phenomenon in which public officials abuse their power for personal gain, violating laws and ethical principles.

4. Definition in legal literature:

Corruption is the unlawful use of power or authority to obtain improper benefits, most often in the form of bribes, bribery or other forms of fraud.

5. Definition in political science:

Corruption is the systematic and institutionalized abuse of power for the purpose of personal enrichment or maintaining power.

6. Definition in sociology:

Corruption is a social phenomenon that is expressed in the normalization of practices that contradict accepted social standards and values.

These definitions highlight the general concept of abuse of power, violation of laws and standards to the detriment of the public interest for the purpose of personal gain. Corruption can take various forms such as bribery, bribery, fraud, conflict of interest and others.

Corrupt behavior is caused by various factors, including:

- High level of tolerance of society towards manifestations of corruption;
- Insufficient legal awareness of citizens;
- No fear of losing illegally acquired goods during a possible inspection;
- Opportunity for officials to choose between positive and negative behavior options;
- Psychological uncertainty of citizens when interacting with government officials;
- Lack of awareness of citizens about their rights and rules governing the behavior of officials or managers in commercial or other organizations;
- Lack of proper control by management over the behavior of officials.

RESULTS

Decisions of the President of the Republic of Uzbekistan were adopted on May 27, 2019 "On measures to further improve the anti-corruption system in the Republic of Uzbekistan", on June 16, 2021 "On additional measures to ensure transparency of the activities of government bodies and organizations, as well as the effective implementation of public control",



July 6, 2021 "On measures to create an environment of intolerance towards corruption, radically reduce the factors of corruption in the sphere of state and public administration and expand public participation in it", resolution dated 6 July 2021 "On additional measures for an effective organization to combat corruption", January 12, 2022 "On measures to introduce a rating system for assessing the effectiveness of anti-corruption work" and other regulations.

These regulations define the measures:

to increase the legal awareness and legal culture of the population, to create an intolerant attitude towards corruption in society;

to prevent corruption in all spheres of state and public life;

on the timely detection of corruption offences, their suppression, elimination of the causes and conditions that create opportunities for them, strengthening responsibility for corruption offences;

to expand international cooperation on anti-corruption issues.

The main goal of the ongoing anti-corruption measures is not only to combat the consequences of corruption, but also to eliminate the factors leading to manifestations of corruption, including work in the field of its prevention.

DISCUSSION

Abuse of authority is the use by a person holding a position of his official position to the detriment of the interests of the service or organization, or going beyond the established authority. Such actions (or inaction) are carried out by a corrupt official for the purpose of personal gain or satisfaction of other personal interests and lead to a significant violation of the rights and legitimate interests of society.

In such cases, an official or manager in a commercial or other organization formally acts within the limits of his authority, but in practice his actions contradict the interests of the service or organization, often violating their overall goals.

Commercial bribery, which is included in the concept of "corruption" and is similar to giving and receiving a bribe, differs in that it is carried out by persons holding managerial positions in commercial or other organizations. This includes receiving material assets or illegally using services of a property nature in exchange for performing or not performing certain actions in the interests of the person providing the bribe.

Just as in the case of a bribe, the Criminal Code of the Republic of Uzbekistan provides for criminal liability for both those offering a bribe and those accepting it in relation to commercial bribery. If the bribe is passed through an intermediary, the latter is also subject to criminal liability for complicity in giving a bribe.

Liability for corruption covers criminal, administrative, civil and disciplinary liability in accordance with the legislation of the Republic of Uzbekistan. Criminal liability for corruption crimes can lead to imprisonment for up to 15 years for both receiving and giving a bribe.

CONCLUSION

In conclusion, it should be noted that in order to achieve the desired results in the fight against corruption, it is necessary to realize that anti-corruption measures cannot function effectively in isolation from each other. To successfully overcome corruption, it is necessary to focus efforts on the entire spectrum of its manifestations. This is only possible using methodological approaches, techniques and systems design tools.

In this case, it is necessary to consider not only the manifestations of corruption themselves, but also the factors that contribute to the spread of corruption, such as monopolization and opacity of decision-making mechanisms, distorted perception of corruption in the public consciousness, inertia of civil society institutions, etc.

REFERENCES:

1. Law of the Republic of Uzbekistan, dated 01/03/2017 No. ZRU-419
2. Decree of the President of the Republic of Uzbekistan, dated January 28, 2022 No. UP-60
3. Murtazaliev A.M. Problems of anti-corruption and conceptual approaches to their solution // Legal Bulletin of the DSU. 2014. No. 4. pp. 22-25.
4. Shukaylo T.P. Diagnosis of corruption // Bulletin VI of the Ministry of Internal Affairs of Russia. 2013. No. 3. P. 186-192. <https://elibrary.ru/rcnlbf>
5. Krasnov A.M. Presumption of corruption // Legal technology. 2010. No. 4. P. 262-266. <https://elibrary.ru/rcibub>

INTERNET RESOURCES:

1. <https://lex.uz>
2. <https://mirec.mgimo.ru/2009/2009-01/korruptsiya-prichiny-vozniknoveniya-vliyaniya-i-metody-borby>
3. <https://www.cer.uz/en/post/publication/stalo-izvestno-v-kakih-sferah-vyavlena-korruptcia-v-uzbekistane>