



ISSUES OF COMBATING CORRUPTION IN THE FIELD OF ROAD CONSTRUCTION

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<https://doi.org/10.5281/zenodo.14557174>

Abstract:

This article covers the issues of combating corruption in the field of road construction, which is one of the most relevant areas. It examines the opinions of legal scholars in this field, and the author has developed proposals and recommendations.

Keywords: highways, corruption, anti-corruption, traffic flow, budget funds.

Introduction

Highways play an important role in the country's economic development and are the main infrastructure for transportation and freight. In connection with this, large funds from the State budget will be allocated to the road construction sector. However, this sector is one of the most exposed to corruption cases. Corruption leads to poor quality road construction, embezzlement of budget funds, and as a result, serious damage to the country's economy.

This article analyzes the issue of combating corruption in road construction, its causes, manifestations, national legislation, and foreign experience. It also provides proposals on effective methods of combating corruption and measures to be implemented in the future.

Causes and manifestations of corruption in road construction

Several factors contribute to the emergence of corruption in the field of road construction. These include:

Allocation of large amounts of budget funds: Road construction projects are usually very expensive and cost billions of soums. This leads to attempts by some officials to misappropriate these funds.

Lack of transparency in the tender system: The lack of openness and transparency in the tender process, and in some cases, winning tenders based on personal connections, leads to corruption.

Inadequate control mechanisms: Insufficient control over road construction processes, spending of funds, and the quality of construction materials creates opportunities for corruption.

Legislative gaps: Some gaps in anti-corruption legislation and the lenient nature of punishments allow officials to commit corrupt acts.

Lack of an atmosphere of intolerance towards corruption in society: The indifference of the population to corruption, and failure to report it to the relevant authorities, leads to the widespread occurrence of corruption.

Corruption in the field of road construction manifests itself in various forms:

Bribery: It is common to give bribes to officials in cases such as winning tenders, obtaining construction permits, and accepting substandard construction materials.

Embezzlement and misappropriation of budget funds: Budget funds are embezzled by artificially inflating the prices of construction materials, transferring money for work not performed, and using low-quality materials.

Abuse of official authority: Officials can use their position to help companies close to them win tenders and illegally approve construction work.

Fraud: Some individuals may prepare fraudulent documents to sell materials intended for road construction or sell low-quality materials at inflated prices.

For example, in Uzbekistan in 2021-2022, there were 45 cases of illegal spending totaling 34.5 billion soums in road construction and repair. Of this, by the end of the second quarter of 2022, construction and installation work worth 23.1 billion soums was illegally spent.[1]

Similarly, this year in the Buka district of Tashkent region, officials of a private enterprise illegally misappropriated more than 373 million soums allocated for road repair.[2]

Foreign experience

Many developed countries have successful experience in combating corruption in the field of road construction. Utilizing this experience can also be effective for Uzbekistan.

For example, in Finland, the tender process for road construction is conducted entirely through an electronic platform. This ensures transparency and prevents corruption. Additionally, road construction processes in Finland are monitored by the public, and any violations are reported to the relevant authorities.[3]

South Korea has implemented widespread use of information technology as an important factor in combating corruption in road construction. All tender processes, the progress of construction work, and the funds spent are monitored through a special electronic system.[4]

In Germany, public participation in the planning and implementation of road construction projects is widely established. This helps prevent corruption and ensures high-quality project implementation. Germany also has strict anti-corruption legislation, and individuals who commit offenses are severely punished.[5]

National legislation

The legal framework for combating corruption in the Republic of Uzbekistan is defined in several legislative acts.

In particular, the Law of the Republic of Uzbekistan "On Combating Corruption" is the primary document in the field of anti-corruption efforts.

The law defines corruption as the illegal use of a person's official position or status for the purpose of obtaining material or non-material benefits for personal interests or the interests of other persons, as well as the illegal provision of such benefits.

At the same time, the main principles of anti-corruption efforts are established as legality, priority of citizens' rights, freedoms and legitimate interests, openness and transparency, systematic approach, cooperation between state and civil society institutions, priority of preventive measures, and inevitability of responsibility.

This law created a comprehensive anti-corruption system and became an important step in regulating legal relations in this area.

However, there is still work to be done to ensure the implementation of the law, especially in the field of preventing corruption.

In addition, the Criminal Code of the Republic of Uzbekistan considers the following as corruption-related crimes: abuse of power or official authority, exceeding official authority, negligence of official duties, inaction of authority, official forgery, receiving bribes, giving bribes, mediation in bribery, and embezzlement or misappropriation.

Furthermore, the President has adopted a number of decrees and resolutions in the field of combating corruption. Among them are:

The Presidential Decree No. UP-6257 of July 6, 2021, aimed at creating an atmosphere of zero tolerance for corruption and sharply reducing corruption factors in state and public administration, which established the Anti-Corruption Agency.

Similarly, Resolution No. PP-81 of January 12, 2022, introduced a system for rating the effectiveness of anti-corruption work in state bodies and organizations.

These documents serve to strengthen the institutional foundations of the fight against corruption and increase the effectiveness of work in this direction.

Uzbekistan has created a sufficiently strong legal framework for combating corruption.

However, there is still much work to be done to ensure the rule of law, effective application of legislative acts in practice, increase the effectiveness of law enforcement agencies, and develop an intolerant attitude towards corruption in society.

In this regard, conducting scientific research, further improving legislation, and studying law enforcement practices are of great importance.

Effective methods of combating corruption

To increase the effectiveness of the fight against corruption in the field of road construction, it is necessary to implement the following measures:

- Fully implement tender processes through an electronic platform, ensuring openness and transparency of all tender documents, and include public representatives in the tender commission;
- Establish strict control over road construction processes, expenditure of funds, and quality of construction materials, including widespread use of video surveillance systems;
- Create favorable conditions for citizens to monitor road construction processes and report identified violations to relevant authorities, making extensive use of information technologies in this regard;
- Further improve anti-corruption legislation and strengthen penalties for corruption crimes;
- Digitize all processes in the field of road construction, including the introduction of an electronic procurement system and the development of systems that allow online monitoring of construction work;
- Pay special attention to the knowledge, skills, integrity, and patriotism of personnel working in the road construction sector, and regularly improve their qualifications;
- Increase legal awareness and culture among the population, and conduct extensive educational campaigns on the negative consequences of corruption.

In conclusion, corruption in the road construction sector is one of the factors causing serious damage to the country's economy.

To combat this scourge, it is necessary to implement comprehensive measures, including improving the tender system, strengthening control mechanisms, expanding public oversight, enhancing legislation, widely implementing information technologies, refining personnel policies, and fostering an intolerant attitude towards corruption in society.

The implementation of these measures will serve to significantly reduce corruption in the road construction sector, ensure efficient use of budget funds, and guarantee the construction of high-quality roads.

Moreover, fighting corruption in the road construction sector is a complex process that requires long-term and consistent efforts.

In this regard, the active participation of government bodies, public organizations, and every citizen is of great importance. Only through collective action can we eliminate this issue and contribute to the country's economic development.

References:

<https://www.gazeta.uz/uz/2022/07/29/way/>

<https://vzglyad.uz/uz/post/2024/02/22/toshkent-viloyatida-yollarni-tamirlash-uchun-ajratilgan-373-mln-somdan-ortiq-mablag-ogirlandi>

Järvinen, P., & Bröckl, M. (2016). Public procurement of road construction and maintenance in Finland. *European Transport Research Review*, 8(3), 1-11.

Lee, J. H., & Kim, J. (2018). Anti-corruption measures and their effectiveness in the South Korean construction industry. *Journal of Management in Engineering*, 34(4), 04018013.

Stoldt, M., Reh, W., & Prinz, A. (2015). Public procurement of road construction in Germany. *Transport Policy*, 42, 118-126