



CONCEPT AND ESSENCE OF THE INSTITUTIONAL SYSTEM FOR COMBATING CORRUPTION

Makhamadiev Bakhodir Botirovich

Student of Criminal Law at the Higher School of Judges under the
Supreme Judicial Council
<https://doi.org/10.5281/zenodo.14731660>

Abstract. "Corruption" and "anti-corruption" have become one of the main challenges facing humanity in the 21st century.

The fight against corruption is not just a problem for one country or region, but for all of humanity.

In recent years, there has been a growing need to improve the institutional system for combating corruption, and further enhancement of this system in national legislation is crucial.

Keywords: "corruption," "anti-corruption," "institutional system for combating corruption," and "the role of state bodies in combating corruption."

The word "corruption" is derived from Latin, meaning "to corrupt" or "to be bribed."^[1] "Corruption" is the illegal use of a person's official position or status for personal gain, whether material or intangible, as well as the process of illegally providing such benefits.

An "institutional system for combating corruption" refers to the regulation of activities of state bodies, institutions, citizen self-government bodies, public associations, and citizens aimed at fighting and preventing corruption.

Regarding the concept of the institutional system for implementing anti-corruption measures, if we consider the concept of a legal system, various definitions are given in legal literature. According to Kh. Boboev, the legal system is the internal structure of law related to the nature of social relations, which is the ordered arrangement of legal norms, legal institutions, and branches of law in strict scientific consistency.^[2]

According to F. Yuldashev, who defended his dissertation on this topic in 2020, this system is understood as a complex of specialized institutions, state bodies, or organizations that lead the field of combating and preventing corruption, have special powers to regulate certain relations, provide legal support, control (monitor), and perform state enforcement functions.^[3]

Article 11 of the Constitution of the Republic of Uzbekistan states that "The system of state power of the Republic of Uzbekistan is based on the principle of separation of powers into legislative, executive, and judicial," while Article 15 states that "International treaties of the Republic of Uzbekistan, along with generally recognized principles and norms of international law, are an integral part of the legal system of the Republic of Uzbekistan." Additionally, the Constitution defines the judicial, electoral, prosecutorial, tax, banking, and several other systems.

Article 4 of the Law of the Republic of Uzbekistan "On Combating Corruption" defines the main principles of combating corruption, according to which the principle of cooperation between the state and civil society plays an important role in fighting corruption. According to Article 7 of this Law, the Anti-Corruption Agency of the Republic of Uzbekistan, the General

Prosecutor's Office of the Republic of Uzbekistan, the State Security Service of the Republic of Uzbekistan, the Ministry of Internal Affairs of the Republic of Uzbekistan, the Ministry of Justice of the Republic of Uzbekistan, and the Department for Combating Economic Crimes under the General Prosecutor's Office of the Republic of Uzbekistan are directly responsible for combating corruption. The Law also defines the powers of state bodies.

Article 14 of the Law of the Republic of Uzbekistan "On Combating Corruption" stipulates that citizens' self-government bodies, non-governmental non-profit organizations, and citizens can: participate in the development and implementation of state and other programs in the field of combating corruption; participate in raising the legal awareness and legal culture of the population, shaping an intolerant attitude towards corruption in society; exercise public control over the implementation of anti-corruption legislation; make proposals to improve anti-corruption legislation; and cooperate with state bodies and other organizations in the field of combating corruption. Article 15 states that mass media: participate in the development and implementation of state and other programs in the field of combating corruption; cover activities aimed at implementing state policy in the field of combating corruption, including raising the legal awareness and legal culture of the population, shaping an intolerant attitude towards corruption in society; exercise public control over the implementation of anti-corruption legislation; and cooperate with state bodies and other organizations in the field of combating corruption [4].

In 2012, Transparency International, an anti-corruption organization, published an expert response monograph authored by Marie Chene, defining the concept of an anti-corruption institutional system. It emphasizes that there should be an independent body funded by the state and that the bodies should work in close cooperation [5].

An institutional system that implements the fight against corruption is understood as a system that regulates the activities of state bodies, institutions, citizens' self-government bodies, public associations, and citizens, aimed at combating corruption and preventing corruption, by regulatory legal acts.

The concept of an institutional anti-corruption system is directly understood by anti-corruption bodies, as well as by bodies, organizations, public associations, and others assisting in the fight against corruption. The powers of bodies directly engaged in combating corruption are determined by regulatory legal acts.

If the importance of the institutional system that implements the fight against corruption is to ensure the full functioning of this system, if there are no corruption cases in the state at all, if everyone hates corruption and realizes any problems not by any means, but only by obeying the law, then there would be no unemployment in the states at all, the number of crime would sharply decrease, and we could create a decent lifestyle for future generations. This demonstrates the importance of the institutional system that implements the fight against corruption.

The fundamental basis of the importance of the institutional system that implements the fight against corruption is that if this system does not work, the state will inevitably collapse.

References:

- 1.Korrupsiya - Vikipediya
- 2.Ҳ.Бобоев Давлат ва хуқуқ назарияси Тошкент 2020.



3.Электрон манба <https://proacademy.uz/>

4.Ўзбекистон Республикасининг «Коррупцияга қарши қурашиш тұғрисида»ги Қонуни.

5. Markazlashtirilgan va markazlashmagan korruptsiyaga qarshi institutlar ekspert javobi
Muallif(lar): Mari Chene, Transparency International, mchene@transparency.org 2012..