ЎЗБЕКИСТОН РЕСПУБЛИКАСИ ИЧКИ ИШЛАР ВАЗИРЛИГИ АКАДЕМИЯСИ

БМТНИНГ КОРРУПЦИЯГА ҚАРШИ КОНВЕНЦИЯСИНИ АМАЛГА ОШИРИШ МЕХАНИЗМИ: ИККИНЧИ БОСҚИЧ ТАҲЛИЛИ

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Масъул мухаррир:

Узбекистон Республикаси ИИВ Академияси бошлиғи, полковник **Р.А. Хатамов**

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Нашрга тайёрловчи:

ю.ф.б.ф.д. (PhD), доцент О.Ж. Холмуминов

Такризчилар:

Узбекистон Республикаси Коррупцияга қарши курашиш агентлиги масъул ходими С. Маманов; юридик фанлар доктори, профессор Б.А. Ражабов

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Олий таълим муассасалари профессор-ўкитувчилари, хукукни муҳофаза килувчи, давлат бошқаруви ва маҳаллий ўзини ўзи бошқариш органларининг ходимлари, илмий изланувчилар, докторантлар ва тингловчилар ҳамда коррупцияга қарши курашиш соҳасида амалга оширилаётган ислоҳотлар билан қизиқувчи барча китобхонлар учун мўлжалланган.

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Тўпламдаги мақола ва тезислар мазмуни ва фактларнинг тўгрилиги учун муаллифлар масъулдирлар.

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биринчидан, ахолини ўз мулкидан фойдаланиш маданиятини ошириш чораларини кўриш керак. Масалан, ваколатли давлат органлари рахбарлари ва ходимлари иштирокида ахоли пунктлари ерлари билан боғлиқ муаммолари кўп бўлган туман (шаҳар) аҳолиси иштирокида турли учрашувлар, телекўрсатувлар килиш оркали халкни фикр ва мулоҳазаларини эшитиш оркали бир тўхтамга келиш;

иккинчидан, ахоли пунктлари ерларини турларини ахолига ва айнан мулкдорларга хукукий томонларини тушунтириш керак. Чунки, айнан шу масалаларда, жараёнларда ахоли пунктлари ерларига туташ жойлашган ер майдонлари ўзбошимчалик билан кушиб олиш ва ортикча ер майдонларига солик туланмай келаётган холатлар жуда куп учрашини кескин олди олинади;

учинчидан, Ўзбекистон Республикасининг "Коррупцияга қарши курашиш тўғрисида"ги қонуни асосида Ўзбекистон Республикаси Коррупцияга қарши курашиш агентлиги, Ўзбекистон Республикаси Бош прокуратураси, Ўзбекистон Республикаси Давлат хавфсизлик хизмати, Ўзбекистон Республикаси Ички ишлар вазирлиги, Ўзбекистон Республикаси Адлия вазирлиги, Ўзбекистон Республикаси Бош прокуратураси хузуридаги Иктисодий жиноятларга карши курашиш департаменти каби ахоли пунктлари ерларига оид коррупцион холатларга қарши курашиш бўйича фаолиятни амалга оширувчи давлат органлари томонидан аникланган холатлар албатта мамлакатимизда истикомат жисмоний юридик шахсларга шунингдек, резидент килаётган ва норезидентларга тегишли мулкларини миллий қонунларимизга риоя этган холда фойдаланишини таъминлаш учун хизмат қилади.

I.E. Turaev*,

K.I. Esanova**

CORRUPTION AS A SOCIAL PROBLEM

Corruption is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life and allows organized crime, terrorism and other threats to human security to flourish.

This evil phenomenon is found in all countries—big and small, rich and poor—but it is in the developing world that its effects are most destructive. Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a Government's ability to provide basic services, feeding inequality and injustice and discouraging foreign aid and investment. Corruption is a key element in

** Student of Internatinal Relations of International Islamic Academy of Uzbekistan.

^{*} Doctor of Philosophy (PhD) in Medical Sciences, head of the Medical Department of the Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan.

economic underperformance and a major obstacle to poverty alleviation and development¹.

In the context of rapidly evolving globalization, the problem of corruption is having a negative impact on almost every country in the world. International documents have been adopted to prevent and eliminate it, not only at the national level, but also around the world. Several organizations have been set up to increase the efficiency of the work being done and to constantly fight corruption. Corruption is becoming commonplace in both developing and developed countries. Corruption affects us all. It threatens sustainable economic development, ethical values and justice; it destabilises our society and endangers the rule of law. It undermines the institutions and values of our democracy. But because public policies and public resources are largely beneficial to poor people, it is they who suffer the harmful effects of corruption most grievously. To be dependent on the government for housing, healthcare, education, security and welfare, makes the poor most vulnerable to corruption since it stalls service delivery. Delays in infrastructure development, poor building quality and layers of additional costs are all consequences of corruption. Many acts of corruption deprive our citizens of their constitutional and their human rights. It is this corruption that is one of the most serious problems of social reality in society and hinders the development of many countries. The consequences of corruption are varied and they have a negative impact on all aspects of society. In this regard, the President of the Republic of Uzbekistan Sh. Mirziyoyev said: "Unfortunately, corruption in our society in various forms hinders our development. It is impossible to create a real business and investment environment without preventing this evil. In general, no branch of society develops without it. Entrepreneurs still face corruption in areas such as land allocation, cadastral construction, licensing and customs, banking, and public procurement. Numerous appeals to the President, as well as statements in the press and on social media, are clear." 2 He said that without the involvement of all segments of the population, the best specialists in the fight against corruption, all members of our society will not be able to achieve the high goals we have set for ourselves, if not vaccinated with the "honesty vaccine".

It is obvious that corruption is deeply rooted in society as a social phenomenon, the consequences of which have a negative impact on the economic and sociopolitical spheres of state and society. The appearance of corruption in the social sphere undermines the value of the law among the population. It also helps to further increase the level of social stratification of the population by redistributing public property in favor of narrow groups. Corruption leads to the disruption of market relations in the economic sphere. It helps to limit market competition, reduce product quality and increase cost, ensure an uneven distribution of resources. Corruption in

https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026 E.pdf.

² Mirziyoyev Sh.M. Together we will build a free and prosperous, democratic state of Uzbekistan. Speech at the joint session of the Oliy Majlis of the Republic of Uzbekistan dedicated to the inauguration ceremony of the President of the Republic of Uzbekistan. – Tashkent: Uzbekistan, 2016. – 10 p.

the political sphere helps to destroy public confidence in the political elite, changes politicians' goals of ensuring the governance of certain groups, leads to frustration with the values of democracy, and can lead to a more rigid form of governance.

Corruption in various forms occurs across the whole society, it affects the existing political representation, the general government, but also cultural and sporting life. Corruptive forms of behaviour and their characteristics in various areas of action are various. Factors relevant for occurrence of corruption can be generalized so that a room for corruptive behaviour is, in particular, created by monopoly of power, freedom in decision-making, low level of transparency, ineffective general government, insufficient level of integrity and persisting deficiencies in the state regulatory and control systems².

The effects of corruption

The entire world firmly believes that corruption, regardless of its form, is the biggest obstacle to progress. It is more devastating than any other defect. Its vandalizing effect extends to the economic, social, and political aspects of life.

On the economic level, corruption leads to:

- 1. Hindering the development of economy, which affects the short and long-term goals of development plans.
 - 2. Wasting of the State's resources, which prevents their optimal use.
 - 3. Shutting out local and foreign investment due to the lack of incentives.
- 4. Impairing the just distribution of resources, weakening the economy, and increasing the gap between the rich and poor.
- 5. Weakening the State's income due to customs smuggling and tax/fees evasion by means of fraud and manipulation.
- 6. Misusing public expenditure in large projects, which prevents key sectors (such as health, education, and public services) from benefiting from these resources.
- 7. Hindering good public investment and weakening the infrastructure due to bribes paid for substandard specifications.

On the political level, corruption leads to:

- 1. Undermining the government's role in implementing the State's public policy and development plans.
 - 2. Spreading mistrust in the rule of law and State's institutions.
 - 3. Weakening democratic reform which damages political stability.
- 4. Depriving the right people from holding high positions, which increases hatred and affects cooperation with State's institutions.
 - 5. Undermining the monitoring of public and private sectors' activities.

On the social level, corruption leads to:

- 1. The collapse of social structure and the spread of hatred among society's classes due to injustice and inequality.
- 2. Undermining national security and the social ladder, directly or indirectly, due to corruption's economic and political repercussions³.

3 https://www.nazaha.gov.kw/EN/pages/effects-of-corruption.aspx

¹ Journal of Contemporary Issues in Business and Government Vol. 27, No. 1, 2021 P-ISSN: 2204-1990; E-ISSN: 1323-6903 https://cibg.org.au.

² 2. Factors affecting corruption, Ministry of Interior of the Slovak republic - Police (minv.sk)

The basic prerequisite for successful elimination of the problem of corruption is to know the forms of manifestation and spheres of action of corruption. Based on social, group or individual determinants, there are many different opinions regarding corruption. It can be stated that corruption takes many shapes, forms of expression and accompanying signs in the form of anti-social actions, often in conjunction with a number of other illegal activities.

Corruption can be structured on the basis of criteria of intensity, severity, spheres of activity, stage of its manifestation, but most often, it is evaluated and classified according to the extent and severity of corruption behavior into large and small corruption. Large corruption is associated with corruption of political power structures, as well as leaders of public and social life. In most cases it constitutes serious corruption, corrupt behavior is well hidden and the amount of bribes reaches a considerable extent. Small corruption is understood as related to the performance of state administration and self-government. Bribes made in connection with the recovery of customs duties, fines, taxes, fees, assessments and the like are disproportionately smaller in comparison to large corruption.

In general, political corruption is considered to be particularly serious from among other manifestations of corruption, which undermines the credibility of governments and political representation, threatens democratic institutions, the fundamentals of the market economy by assimilating with the fundamental political and economic structures of the state and affects the security of the state in terms of both, internal and external security. Serious and dangerous forms of corrupt behavior are also those where members of criminal and organized groups, through illegal financial and other means, penetrate the legal structures of society and the state in order to exert their influence on decision-making in matters of general interest.

Different perspectives on corruption identify different forms of its manifestation and spheres of occurrence, which are reflected in the different classification and structuring of corruption. In the context of corruption, its classification and typology, it can be stated that knowing the forms of manifestations of corrupt behavior, their causes, substance and consequences is an inevitable prerequisite for eliminating this undesirable social phenomenon, characterized by the destruction of fundamental values and standards of society.

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