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Research Article

CORRUPTION CRIME AND ITS SITUATION IN MODERN SOCIETY

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ABSTRACT

In this article, the author made some comments on some issues of corruption crime and its situation in modern society in accordance with the criminal legislation of the Republic of Uzbekistan. Also, this article examines the concept and features of the corruption crime and its situation in modern society, analyzes the opinions of scientists. The relevant proposals and recommendations for improving the norms of the criminal law related to the corruption crimes are also given.

KEYWORDS

Act, crime, punishment, corruption, corruption crime, situation in modern society, responsibility.

INTRODUCTION

Fighting corruption in the world is considered one of the most pressing tasks facing all states. In particular, according to UN Secretary-General Antonio Guterres, the volume of worldwide bribery crimes in a year is estimated at one trillion dollars, resulting in a global economy of \$ 2.6 trillion, more than 5% of global GDP [1]. At present, as a result of measures aimed at ensuring legality, effective fight against corruption, the role of our country in this international rating is improving from year to year. In particular, our Republic

ranked 158th in this ranking in 2018, and 146th in 2020, rising to 12 points [2], In Transparency International's Corruption Perception Index for 2021, Uzbekistan ranked 140th in 180 countries, up 6 points from 2020 [3]. However, it should be admitted that one of the most dangerous vices that negatively affects the outcome of the comprehensive reforms carried out in our country, which is becoming an obstacle to progress, is undoubtedly corruption, and there is a

need to continue scientific and practical research in this area.

In the world, special importance is attached to improving the effectiveness of criminal justice, creating new modern criminal justice mechanisms for combating these crimes, classifying crimes against the public service. At present, studies are being carried out to identify differences in corrupt crimes from the point of view of the interests of Man, society and the state, decriminalize certain actions in this area and, on the contrary, transfer others to the category of criminal offenses, as well as further intensify the premature prevention of these acts and criminological forecasting.

In our republic, on the basis of the new Uzbekistan development strategy, the tasks of reforming the most important aspects in the life of society and the state, finding solutions to the problems accumulated over the years were established. In particular, as the 84th goal of the strategy, it is established to identify areas and sectors prone to corruption, increase the effectiveness of the system of elimination of corrupt factors, form an uncompromising attitude towards corruption in society [4].

MATERIALS AND METHODS

The concept of corruption crime and its situation in modern society and its distinctive features study, analysis of the norms of legislation providing for this situation. For this, methods of scientific cognition were used, such as analysis, historical-comparative method, abstraction and comparison.

RESULTS OF RESEARCH

It is necessary to separately study the theoretical concept of corruption in conditions of increasing state attention to the issues of combating corruption,

responsibility of civil servants who committed these types of offenses. One of the most diligently discussed and controversial issues in scientific work dedicated to the problems of corruption and combating it is precisely the concept of corruption.

Today, the prevention and fight against corruption remains one of the pressing issues around the world. After all, as The President Of The Republic Of Uzbekistan Sh.Mirziyoev noted, " If we do not prevent corruption, it is impossible to create a real business and investment environment, in general, not a single branch of society will develop [5].

International law collects a number of regulatory anti-corruption documents, some of which describe the concept of corruption. For example, in the United Nations Convention Against Corruption (New York, October 31, 2003), corruption is defined as "the abuse of public power in the way of personal gain" [6]. Of course, such a definition cannot correctly reflect the essence of the phenomenon of corruption, since it has a much shorter and more restrained tone.

One of the terms that is increasingly used in national and international law is corruption. Corruption is not necessarily a vile that has arisen today, it has been in existence since ancient times [7]. The head of state Shavkat Mirziyoyev also stressed the need for us to take strict measures in our society to combat corruption, various crimes and other violations, to prevent them, to ensure in practice the requirements of the law that punishment for a crime is, of course, inevitable [8].

According to Primov, over the past years, a number of measures have been implemented to eliminate corruption factors in the field of Public Administration. In particular, our country joined the UN Convention

Against Corruption (Newark, 31 October 2003) on 7 July 2008.

The Eurasian Group agreement on legalization of criminal income and combating terrorism financing (Moscow, 16 June 2011) was also ratified by the Supreme Assembly on 13 December 2011. Uzbekistan was one of the first in our region to pass the law "on combating the legalization of income from criminal activities and financing terrorism".

However, today's turbulent times indicate the need to further democratize public administration and further improve and persistently continue our work to combat corruption. The head of state, Shavkat Mirziyoyev, also argues that in this regard, "it is necessary for us to take strict measures to practically ensure the requirements of the law on corruption in our society, on the commission of various crimes and other cases of violation, on their Prevention, on the basis of which punishment for the crime is absolutely inevitable" [9].

Because no state in the world can claim that corruption does not exist in itself. Today, I have not come to a single stop on the generally accepted definition of corruption, the methodology of assessment and the fight against it.

In this case, the development of ways to correctly understand, assess the essence of corruption and effectively organize the fight against it is becoming a complex problem. According to analysis, corruption causes an average of \$ 2.6 trillion in damage to the world economy each year.

Despite the fact that international organizations such as the United Nations, the Council of Europe, the organization for Economic Cooperation and development and the World Bank are taking a number of measures to develop ways to combat corruption

and to be widely used by member countries, the International Gallup Institute (American Institute of Public Opinion, Gallup), the Basel Committee, The INDEM Foundation (INDEM foundation) and Transparency International have stated that the fight against corruption is relevant despite extensive research conducted by international NGOs.

The Transparency International Corruption Perceptions Index (CPI), an international non – governmental organization that analyzes the level of corruption of countries in the world and publishes its report at the end of the year, reported that more than 2/3 of the 180 nations scored below 50, with an average score of 43 points.

Corruption in the world is widespread in all sections of society and in all branches of power. It is of concern that corruption remains a major obstacle to social progress, market relations, and the formation of democratic institutions. Corruption, which threatens human development, has determined the level of concern of the world community for this problem. This was reflected in the development of fundamental international anti-corruption documents in international anti-corruption initiatives.

Transparency International Corruption Perceptions Index (CPI), published in 2014, ranked Uzbekistan 166th out of 185 countries in its list of corrupt states. In the region, it is recognized as the second largest, after Turkmenistan. Two years later, the state corruption rating rises by 10 points, but in 2017 Uzbekistan was recognized in the 157th place and in 2018 in the 158th place. It should be noted, however, that the situation has not yet died if, as a result of the reforms carried out in all areas in the country, Uzbekistan reached the 153rd place according to the conclusions of 2019 and the 146th place in 2020.

The fact that 46% of those surveyed in the Social Survey rated the level of corruption in the country at a high level indicates that the problem of combating corruption in the Republic is serious. Also, in the Republic, as of ten months of 2020, 459 officials were held responsible for 327 criminal cases, the amount of damage caused by these crimes amounted to 172 billion. 260 crore. the establishment of the SOM also suggests that the anti-corruption situation does not meet today's demand.

In 2019, the decree of the president of the Republic of Uzbekistan "on measures to further improve the Anti-Corruption System in the Republic of Uzbekistan" was adopted.

The decree approved the second State Anti – Corruption Program in 2019-2020.

In 2017-2021, the strategy of action on the five priority areas of the development of the Republic of Uzbekistan was a historical document aimed at the elimination of corruption by tag-roof, precisely in its fundamental essence. It outlined specific measures aimed at ending corruption in all areas, eliminating the causes that are creating conditions for its uprooting.

From the very beginning of socio-economic reforms in the new Uzbekistan, it was announced that the fight against corruption in the entire system of state power, its individual branches, was a special priority.

When it comes to the effectiveness of the fight against corruption, it is important to first determine the purpose of the fight. The counter-fight shows its effectiveness only when it is based on a Real state. In our opinion, when determining the purpose of the fight against corruption, it is possible to divide it into a general (main goal) and a specific situation-based (within a certain period of time) goal.

The overall goal covers anti-corruption measures common to all countries in the world. The goal, based on the specific situation, covers measures to combat corruption, characteristic of the political and economic development of a particular state. This goal is formulated and set a deadline based on the existing corrupt processes in the country.

The fight against corruption is considered one of the priorities of any state that has taken the path of progress. However, this is not easy, because corruption is committed in a secret way, in combination with criminal language.

According to Frederick's views, the elimination of corruption cannot be defined as a task, that is, it is a utopia. The main task in the fight against it is explained by the fact that it is necessary to focus on preventing corruption from spreading to the political system, deriving it. It seems to us that anti-corruption is an activity that seeks to reduce the level of corruption and its social danger, as well as a complex system aimed at eliminating and eliminating its determinants. This activity does not have the opportunity to completely eliminate corruption. However, nevertheless, it can be reduced to a socially acceptable level that does not significantly affect the life of the state, society and citizens.

The director of the INDEM center of Russia, Sattarov, notes that the complexity of the fight against corruption is due to the fact that all implemented measures of struggle are not integrated into the system and are not coordinated. When the anti-corruption legislation of a number of states is analyzed, we can see that the definition of the term "anti-corruption" has been strengthened in these laws. In particular, we can see that the Federal law of the Russian Federation "on the fight against corruption" of December 25, 2008, as well as the law of the Republic

of Kazakhstan "on the fight against corruption" of November 18, 2015, defines Article 1 as the term "fight against corruption" in itself.

Just as "corruption-related crimes" are not defined in our current legislation, the term "anti-corruption" has not been covered. However, articles 5-7 of the law are devoted to the main directions of state policy in the field of anti-corruption, state programs and other programs in the field of anti-corruption and state bodies carrying out anti-corruption activities.

After all, corruption can only be reduced or reduced in level by eliminating the problems and conditions that cause it. When the former Union disintegrated, new corrupt factors arose in these states in connection with the transition of the emerging states to a market economy in its place [17, 18].

In particular, Amanov noted that the prevalence of inappropriate interference of state authorities in the activities of economic entities, the lack of improvement of the system of organization and control of the Civil Service and legal regulation at the law level, the occurrence of state interference in the financial and economic activities of economic entities, especially local state bodies, contributed to the emergence of corruption [10].

And Shedi, in a comprehensive analysis of the causes of corruption, provides for its reasons: excessive interference in the economy, unfinished economic reforms, excessive taxes and fees, weakness of state power, the need for a mass of agreement and permission, unregulated state control activities, imperfection of laws [11].

Popov and Umnikovs, analyzing the economic, institutional and social reasons, as its reasons indicate a high level of closeness in state agencies, an

unfavorable reporting system, a lack of transparency in the system of legislative creativity, a weakness of the state's personnel policy [16].

The concept of administrative reforms in the Republic of Uzbekistan also showed that insufficient openness and transparency of the activities of executive authorities leads to various manifestations of corruption.

Kabylov believes that the fact that the permitting functions of the state are preserved in an excessively wide range is also one of the roots of corruption [12]. Klitgaard argues that the lack of control over an official's "sole authority" in providing a necessary service to a business entity or creating a certain privilege can lead to a corrupt agreement.

Kabylov also cites the imperfection of laws, the bureaucratization of public life, the proliferation of officials, the organizational difficulties of entrepreneurship, the increase in intermediaries as reasons that create conditions for the development of corruption [13]. Golovshinsky said that as a result of the complete lack of control of the process of developing "sub-legislative acts" in state governing bodies, legal norms are formed in current legislation that create conditions for corruption. The result may be legal norms and guidelines that are vague and difficult to understand in legislation, creating conditions for officials to intimidate and bribe citizens [14]. Vahobov argues that the intensity and coverage of the spread of corruption depends on various factors. The most important of these is the restriction of Economic Freedom, the intervention of the state in entrepreneurial activity and, finally, the state monopoly of Natural Resources [15].

CONCLUSION

From the above, as one of the main reasons for the emergence of corrupt factors, it is possible to show the abundance of administrative authorization and settlement procedures in public administration and their compatibility with departmental interests, as well as the preservation of corrupt norms in the legislation.

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