

International Legal Experience in Combating Corruption

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Annotation: The international community and states are currently fighting corruption. Success in this struggle will serve to create the conditions for security and stability in the world.

Keywords: corruption, abuse of power, the United Nations, the Convention, Interpol, the police, the official.

The analysis shows that today the following international legal acts of important legal and practical significance in the fight against corruption have been adopted:

- United Nations Declaration on the Execution of Judgments for the Abuse of Power of 1985, 1996 on Combating Corruption and Bribery in International Trade Operations, 2000 Declaration on Transnational Organized Crime, 2003 Corruption "Conventions";
- Declaration of the European Union of 1997 "On 20 principles of combating corruption"; Conventions of 27 January 1999 on Criminal Liability for Corruption and 4 November 1999 on Civil Liability for Corruption;
- Convention of the Organization for Economic Co-operation and Development (OECD) of 21 November 1997 on Combating Trafficking in Foreign Officials in International Trade Operations;
- 1999 Convention of the Organization for Security and Co-operation in Europe on Combating the Trafficking in Persons in International Operations;
- "Recognized standards for combating corruption in the police and Interpol" of Interpol in 2002;
- Convention of the American Intergovernmental Organization "On Combating Corruption" of March 29, 1996;
- In 1999, the CIS states adopted a model law "On Combating Corruption" and other legal acts.

The study found that UN documents are an important international legal framework in the fight against corruption.

In 1999, the United Nations Office on Drugs and Crime (UNODC) and the Regional Research Institute for Crime and Judiciary jointly developed the Global Anti-Corruption Program in 1999 to assist member states in preventing corruption.

According to the program, it should be based on the objectives of each national program:

- reduction of opportunities for corrupt officials within the law;
- creation of a social environment of "condemnation of corruption" in society;
- creating an environment of general condemnation of corruption;
- Strict control over the anti-corruption process;

The UN Convention against Corruption is a document of practical importance for countries where corruption harms national interests, especially in the transition period.

The document alleges treason of officials, misappropriation of state property, illegal and self-interested use of public office, abuse of office with malicious intent, abuse of office, illegal acquisition of wealth, sale to criminals, misappropriation of property and 28 other similar corruption cases. the types of movement are shown.

This document calls on UN member states to actively cooperate in the fight against corruption, and the following effective provisions are legally based on:

- The rule of return of property and other income from corruption crimes to the state in case of illegal crossing of the state border; issues of technical and practical assistance in the return of funds received through corrupt practices to another state;
- The mechanism of extradition of persons who have committed corruption crimes;
- mutual legal assistance in the fight against corruption; - Issues of cooperation between law enforcement agencies; - Assistance in the investigation of corruption crimes.

At the same time, the Convention sets out the rules of criminal, civil, administrative liability for the legalization of income of legal entities through corruption, protection of witnesses and other persons who provided information about the fact of corruption, compensation for damage to individuals and legal entities.

In general, the Convention is an important international document in the fight against corruption in countries.

However, at a time when the country is modernizing in all areas, the 2003 UN Convention against Corruption, which is an international legal norm for combating corruption, has not yet been ratified. If Uzbekistan joins the Convention, the following effective opportunities will be created to expand the fight against corruption:

Use of the 28 definitions set out in the Convention in the assessment of corruption;

- Regular cooperation with foreign colleagues of law enforcement agencies working in this area;
- Mutual practical assistance in the fight against international corruption;
- Detention of persons who have committed corruption crimes and fled abroad, etc.

"On Combating Corruption" in most countries of the world; "On amendments and additions to some legislative acts in the fight against corruption"; Laws on Prevention of Corruption and National Anti-Corruption Programs have been adopted.

In addition, the following laws and regulations in some areas that are important in the prevention of corruption,

- On freedom of information of citizens: the law "On freedom of information", "On the inviolability of information on public administration".
- On ensuring ethical governance in society: the Code "On the ethics of officials in maintaining law and order", the Code "Ethics of civil servants", the Regulations "On the basics of ethics of civil servants";
- On state support: the law "On prevention of corruption and reduction of budget expenditures in the organization of procurement of goods necessary for the state", decrees of some heads of state "On the organization of procurement of goods, services and works for civil servants";
- Regulations on elections and political parties: "Uniform rules of civil servants against corruption in the financing of political parties and election campaigns";
- on the declaration of income of officials:

"On the declaration of property and financial status of officials"; Normative documents "On the provision of substitutes for officials of the civil service and local government";

These documents are a bhib aimed at preventing damage to national interests due to corruption, and are an important legal tool, especially for developing and transition countries facing this dangerous scourge.

In most countries where the prevalence of corruption is currently considered to be the lowest, the above-mentioned national and international legal instruments are bearing fruit.

Among such countries, Finland, Iceland, New Zealand, Singapore, Switzerland, Norway, Austria, Luxembourg, the United Kingdom and Canada, the following measures to prevent corruption-related offenses are recognized as the most effective means, among other things. :

- Ensuring the effective implementation of laws and regulations related to the anti-corruption process;
- Establishment of a special body to coordinate the anti-corruption process;
- strengthening the social and material security of civil servants;
- creation and maintenance of the mechanism of open and objective trial;

- Encouraging the services of employees of organizations aimed at combating corruption;
- to provide the population with a wide range of information on the fight against corruption.

According to a 2006 report by Transparency International, the aforementioned countries ranked in the top ten of the world's 163 countries with the lowest levels of corruption.

In general, the legal documents implemented by these countries serve effectively in the fight against corruption.

Some experiences in American law. The first anti-corruption law in the world was passed in the United States in 1977 (the fight against foreign corruption), and the country has sufficient anti-corruption legal practice.

The All-American Anti-Corruption Convention sets out norms against the enrichment of officials. According to him, the acquisition of wealth through illegal means is a crime, if there is a "wax increase" in the property of every official working in the public sector, if the official can not convincingly justify how a relatively large sum of money was added to his legal activity.

The issue of the declaration of financial income of US civil servants was resolved in 1978. In the same year, the United States adopted the ICT Activities of U.S. Civil Servants. According to him, "Every head of a state body is obliged to provide the following information about the officials of that institution to a higher authority. Violation of these ICT requirements is a criminal offense.

The U.S. government passed the Witness Protection Act of 1995 to ensure that whistleblowers have an interest in the situation and to prevent latent crime. and as a result, if the suspect is found guilty in court, the person who reported it shall be rewarded in the amount of 25-30% of the pecuniary damage (if such is given by other witnesses in the amount of 15%).

Some reports suggest that such laws in the United States are having a positive effect. the number of crimes detected by the complainants for the corrupt actions of officials was higher than the number of crimes detected in other ways. In particular, according to the Federal Bureau of Investigation, 34.2% - by employees of the enterprise where the official works, 25.4% - by other witnesses and victims, 20.2% - on the recommendation of the heads of the institution, 19.2% - During inspections during the investigation, 12% were identified based on reports by regulators.

Some U.S. law makes it legal for citizens to give gifts to government officials. According to him, civil servants can be rewarded "when the child is sick, on the child's birthday and during the wedding" (officials are not allowed to give such gifts in the office). The total amount of a one-time gift (regardless of the number of gifts) given by a donor to a civil servant should not exceed \$ 20 and the amount of an annual gift should not exceed \$ 50.

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