



 Research Article

FOREIGN EXPERIENCE IN DETECTING AND PREVENTING LATENT CRIMES OF CORRUPTION

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ABSTRACT

The article discusses the experience of foreign countries in the fight against corruption that have achieved some success. It is substantiated that, when developing a proposal to identify and prevent latent crimes of corruption, specific differences in the social status and mentality of the people of our state are taken into account.

KEYWORDS

Corruption, latent crime, latent corruption crime, single window, meritocracy.

INTRODUCTION

Corruption crimes and the problems resulting from them can be found in almost every country in the world. However, differences in the social status and mentality of people in different countries have led to different approaches in the fight against corruption.

Studying the practice of combating corruption in foreign countries will positively affect the

identification of effective mechanisms in this area and their implementation in national legislation. Therefore, a comparative analysis of the issues of responsibility for corruption crimes is necessary on the example of the criminal law of a number of advanced countries that have achieved some success in this area.



In this regard, the empirical study of corruption is very active, which indicates the increased interest of the world community in finding means to curb it. Using international organizations such as the UN, the World Bank, the Council of Europe, the Organization for Economic Co-operation and Development (OECD), states seek to strengthen international commitment to fight corruption and expand cooperation in the recovery and return of embezzled funds.

THE MAIN FINDINGS AND RESULTS

Uzbekistan is committed to international obligations to combat corruption and is actively fighting this element. Therefore, the question of effective legal, organizational, technical methods of preventing and combating corruption, both within individual states and in the world as a whole, remains open and relevant.

One of the foreign countries that have made significant progress in the fight against corruption is Singapore. Strict laws, adequate salaries of civil servants, punishment of corrupt officials, effective functioning of the anti-corruption department, high-ranking leaders as personal role models, the practice of discoloring the transparency of annual income, expenses, assets and debts are effective factors in the fight against corruption in this country. In Singapore, the fight against corruption is carried out directly by political leaders and senior officials, it is fully supported by the public. In other words, the fight against corruption is ongoing here, as evidenced by the presence of a permanent specialized anti-corruption body - the Corruption Investigation Bureau (founded in 1952), which has political and functional independence [1]. The functions of the Bureau also include checking the facts of abuses among public officials, which are reported to the relevant authorities for taking disciplinary measures, studying the work of public

authorities included in the corruption risk group, in order to identify weaknesses in the management system. When gaps are identified that can lead to corruption and abuse, the Bureau recommends that the heads of these departments take appropriate measures.

According to Art. Art. 18, 19 of the Law, bureau employees have the right to check the bank books of civil servants, their wives, children and agent, if necessary, as well as to make arrests, searches, check bank accounts and property of those suspected of corruption crimes.

The competence of the Bureau also includes the investigation of complaints of allegations of corruption in public and private spheres, cases of negligence and negligence of public servants, verification of their activities and ongoing operations, in order to minimize the possibility of committing corrupt acts.

The head of the Bureau is a director directly responsible to the Prime Minister, which does not allow other heads of ministries and departments to interfere in the investigation.

The department consists of three departments: operational, administrative and informational. The last two, in addition to supporting operational work, are also responsible for the “cleanliness” of the bureaucracy. They are in charge of the selection of candidates for high government positions, preventive measures and the organization of tenders for government orders.

In South Korea, the top priority is to simplify bureaucratic procedures by reforming state institutions. As a result, the number of permits required for paperwork, control, licensing and direct communication with officials working in other



government bodies has been reduced. The latest scientific developments and technologies are being introduced, on the basis of which preventive measures of the anti-corruption policy are being improved, the special anti-corruption platform “Open” is effectively functioning, the main task of which is online monitoring of the fight against corruption [2]. This program was developed and implemented under Seoul Mayor Goh Kun, who announced his intention to wage the most uncompromising war on corruption, informing the public about the activities of public services from considering citizens' appeals to decision-making policy.

In addition to its independent significance and autonomous existence, the OPEN system is only an integral part of the comprehensive Saul anti-corruption strategy. The steady fight against corruption program is carried out in four main areas: 1) preventive measures, 2) repressive measures, 3) greater transparency in the activities of the administration, 4) close cooperation between private individuals and public services.

Free access to information about the state of circulation, the absence of personal contacts with officials, which eradicates any kind of offers of bribes. As a result of the implementation of this program, corruption among officials in the capital has decreased by 6 times.

One of the successes in the fight against corruption in this state is the transition to the principle of meritocracy - the principle of management, according to which the most capable people should occupy leadership positions, regardless of their social and economic background.

The fight against corruption is facilitated by the fact that in the United States there are practically no

immunities for officials. Any official, including the president, congressmen, and senators, may be subject to criminal liability upon removal from office by special order. US anti-corruption legislation is systemic. It also consists of legal acts regulating lobbying, banking, stock exchange and other activities. As I.V.Bocharnikov notes, “although this is not a guarantee of the complete eradication of corruption, in the United States its level is much lower than in other states” [3].

In the United States, anti-corruption legislation is characterized by extreme rigidity. So, for various types of corruption - a bribe, kickbacking (payment of a part of illegal money to a participant in a transaction), etc. - fines are provided in the triple amount of a bribe or imprisonment of 15 years, or both at the same time, and under aggravating circumstances - imprisonment up to 20 years.

US law provides for punishment for giving and receiving remuneration for services that are part of the duties of an official. Encouragement, according to American law, an official can only receive officially - from the government. The penalty for violating this rule is a fine or imprisonment for up to 2 years, or a combination of penalties.

US anti-corruption legislation is systemic. It also consists of legal acts regulating lobbying, banking, stock exchange and other activities. And although this is not a guarantee of the complete eradication of corruption, in the United States its level is much lower than in other states.

The fight against corruption is made easier by the fact that there are virtually no immunities for officials in the US. Any official, including the president, congressmen and senators, can be prosecuted, albeit in a special manner, after being removed from office.

Another important area of the US anti-corruption strategy is the prevention of corruption in the civil service. It is based on the introduction of the so-called "administrative morality", which is the ethical and disciplinary norms.

The basis of the anti-corruption strategy of Georgia was the transition to a "single window" for the provision of public services [4]. (300 types), fundamental reforms in the internal affairs system, adequate wages for civil servants, extensive use of the media to expose and prosecute corruption. A distinctive feature of the Georgian anti-corruption model is the absence of a dedicated independent anti-corruption body, as well as a separate body for the development of anti-corruption policy. The Anti-Corruption Council of Georgia, established in 2008 to coordinate and monitor anti-corruption activities, does not fit any of these definitions. The council has no staff or budget of its own, and its members can be recalled by the government at any time. The role of the secretariat of the Anti-Corruption Council is performed by the Analytical Department of the Ministry of Justice of Georgia, where only 16 people work, and the Council is headed by the Minister of Justice.

In terms of its functions, the Georgian Anti-Corruption Council is analogous to the Agency for Civil Service Affairs and Anti-Corruption of the Republic of Kazakhstan, but the latter has broader powers. Prosecution authorities are investigating such crimes in Georgia.

CONCLUSION

On the basis of international experience in the field of combating corruption, the following proposals can be introduced in our republic. Firstly, the practice of simplifying bureaucratic procedures in the provision of public services is necessary, secondly, to further

develop and improve the "One Stop Shop" principle, and thirdly, the abolition of the immunity of officials, filling out declarations on annual income, expenses, property, loans of officials, as well as their close relatives.

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