

Anti-Corruption Reforms in Uzbekistan: Policy Options and Possible Actions

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Abstract

In 2017 the government of the Republic of Uzbekistan adopted the National Anti-Corruption Program for 2017-2018² to eradicate corrupt activities in the country. Earlier reforms in this field have not produced considerable results, and the problem is still significant in the country. This paper analyzes some of the measures outlined in the National Anti-Corruption Program and assesses their applicability and efficiency. In particular, this work addresses major directions and a time frame of the Program, anti-corruption measures in the education sector, and the role of public support and mass media in combatting corruption in Uzbekistan.

Corruption is one of the key hurdles to the development of states; therefore, elimination of corruption is under a focus of many countries. A major step to combat any problem is to, first and foremost, recognize and accept the fact that the problem exists and have a willingness to resolve it. Thus, elimination of corruption in a country requires its political recognition and strong commitment of the government to tackle the issue. The new government of Uzbekistan defines a fight against corruption as one of its primary objectives. So, there is a political determination to tackle the problem in the country. The Development Strategy of Uzbekistan for 2017-2021 stipulates that addressing corruption is a priority task to guarantee the rule of law. Moreover, recent years are notable for the adoption of different anti-corruption measures in the state, which are reflected in the National Anti-Corruption Program for 2017-2018 of Uzbekistan.

The Corruption Perceptions Index 2016 ranked Uzbekistan 156 out of 176 countries.³ In 2016 Uzbekistan got 21 scores compared to 19 and 18 scores in 2015 and 2014 respectively. The change in scores is not significant that indicates inefficiency of anti-corruption measures in the country during previous years. The areas that are highly affected by corrupt activities in Uzbekistan include, *inter alia*, public services sector, criminal justice system, education, and healthcare.

Initial steps and a time frame of the National Anti-Corruption Program for 2017-2018

In order to demonstrate the strength of political will to eliminate corruption, implementation of the National Anti-Corruption Program should start from addressing the most problematic areas. Realization of anti-corruption measures in these areas can bring tangible results. This is important to show people that combatting corruption in the country is taking a serious turn. Therefore, the first step is to implement anti-corruption strategies in education, healthcare and other highly problematic areas mentioned above.

One of the most common initial steps in fighting corruption in many countries is the introduction of stricter penalties for such crimes as embezzlement, bribery, fraud, and extortion. Uzbekistan also widely applied this measure. For instance, in 2014 the Criminal Code of

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² Texts of the legal instruments referred to in the paper are available at *lex.uz* - a national database on legislation of Uzbekistan (texts of legal acts are provided in Uzbek and Russian languages)

³ Transparency International 2017, *Corruption Perceptions Index 2016*, Berlin: Transparency International. Available at http://issuu.com/transparencyinternational/docs/2016_cpireport_en?e=2496456/43483458

Uzbekistan toughened punishment for bribery by imposing higher fines and increasing the maximum period of imprisonment from 10 to 15 years. Changes in corruption-related legislation resulted in a series of arrests. In 2017 the country's media covered a number of such cases including detention of administrators of universities and health institutions as well as judges and law enforcement officials. Indeed, increased sanctions might lead to increased fear of committing crimes; however, there are also concerns about this measure. Excessively tough punishments have low enforcement rates which, in turn, put at risk the inevitability of punishment. Moreover, unreasonably long periods of imprisonment might cause an increased prison population, which is an extra burden on the state budget. Therefore, introduction of stricter penalties requires a great caution.

A time frame designated for the National Anti-Corruption Program is one year. Taking into account the gravity of corruption in Uzbekistan and a wide scope of the Program sufficiency of allocated time is doubtful. The Program covers 51 anti-corruption measures in five areas and sets deadlines for their realization. The National Anti-Corruption Program defines a wide range of tasks including development of anti-corruption legislation; enhancement of legal culture of people; elimination of corrupt activities in government institutions, non-governmental organizations, education and healthcare facilities; promotion of international cooperation on countering corruption. All these tasks are very complex and require a longer time frame for their successful realization. Short deadlines put a risk that the tasks will be addressed in a cursory manner.

Public support for combatting corruption

The National Anti-Corruption Program for 2017-2018 sets the enhancement of legal awareness and cultivation of intolerable public attitudes to corruption as one of its approaches to tackle the issue. The approach covers, among others, such measures as promotion of cooperation between government bodies and non-governmental organizations; wide distribution of materials that clarify provisions of anti-corruption laws; organization of various events which address corruption; development and implementation of academic programs that explain anti-corruption strategies in educational institutions. The approach is sufficiently comprehensive because it addresses the problem from many perspectives. Nevertheless, the wording of some measures is vague. For example, ways of introduction of special academic programs in educational facilities remains unclear. The programs involve all levels of education from general secondary to higher education, but their exact coverage is not specified. In this regard, efficiency of such programs on an elementary school level is questionable. Furthermore, allocation of additional hours for such programs might overload already tough curricula. Also there is a need in professionals who are able to elaborate on the issue of corruption. Thus, explanation of anti-corruption strategies in the context of already existing courses (e.g. jurisprudence or sociology classes) and organization of regular seminars with the involvement of experts might be effective.

As regards cultivation of intolerable public attitudes towards corruption, the essential point is to overcome public skepticism about elimination of corruption and belief that corruption is rooted in mentality. Some people think that corruption is an integral part of certain societies and that combatting corruption in these societies is futile. However, the history provides many examples of effective and fruitful fight against corruption in allegedly corrupt societies. These are the cases of, for instance, Georgia and Hong Kong. Indeed, culture and history of people influence corruption perception in a society. Nevertheless, corruption is not a cultural tradition, but a natural reaction of people to deficiencies in government structures, bureaucratic obstacles, and economic problems. Therefore, fighting against corruption can be effective in every society if there is a political will to eliminate the issue and the measures applied are appropriate.

Success of anti-corruption reforms largely depends on the people's trust and support.

Consistency in implementation of measures against corruption together with publicly accessible reports on their efficiency are key steps to gain this trust. In this respect, consistency refers to equal treatment of corruption perpetrators as well as avoidance of contradiction between anti-corruption measures stipulated in the Program and the measures actually applied. There are also certain requirements for the reports on efficiency of combatting corruption. First and foremost, they need to be trustworthy regardless of the level of success attained by anti-corruption measures. Second, relevant authorities should ensure full and unimpeded public access to these reports. Third, the reporting need to be regular and up-to-date.

Elimination of corrupt activities in the education sector

The National Anti-Corruption Program emphasizes a need to prevent corrupt activities and to ensure fair and equal opportunities for all people in many fields including education. The education sector in Uzbekistan is one of the areas greatly suffering from corruption. Bribery is a common case during admission, examination, and graduation processes. Corruption victims include not only applicants and students but also a teaching staff, for example, during recruitment or allocation of working hours. There are a number of methods that might be helpful to tackle the issue. First, improvement of teachers' status and image in the society through further increases of wages and more stringent qualification requirements. The state budget is, of course, not unlimited, and raising salaries will burden it. Downsizing of personnel by screening out unqualified teaching and administrative staff is a way to increase teachers' wages without putting a further strain on the state budget. Moreover, reduction of unnecessary bureaucratic tasks will help to decrease the teachers' workload.

Second, there is a need for anonymous evaluation of academic courses by students. This method is widely practiced in foreign universities, where students fill out questionnaires in the end of courses. The questionnaires usually ask about satisfaction with courses and teaching methods of a given instructor and allocate space for students' comments. If a teacher practiced any corrupt activities, the questionnaires provide an opportunity for students to make anonymous reports.

Third, carrying out university entrance examinations on different dates (not once in a year), electronic submission of application documents, and use of international standardized test (such as IELTS, TOEFL, and SAT) certificates will reduce a risk of corruption during an admission process.

Role of mass media in fighting against corruption

Anti-corruption legislation of Uzbekistan emphasizes the important role of mass media in solving the issue. Article 15 of the "Law on Countering Corruption"⁴ determines how the mass media contributes to the fight against corrupt activities. In particular, the law states that the mass media, *inter alia*, takes part in drafting anti-corruption programs, reports on state measures for tackling the issue, and monitors enforcement of anti-corruption legislation. Significance of involving the mass media in fighting against the problem of corruption is undeniable. However, such involvement can give actual results only if the mass media is independent and unbiased. Further deregulation of newspapers, TV channels, journals, and development of internet resources are essential to ensure impartiality and neutrality of the mass media. As for now, many newspapers and TV programs have covered news on corruption cases in the country and state measures for solving the problem. Nevertheless, the mere coverage is not sufficient to tackle the issue. There is a need for careful study and analysis of the given information. Therefore, the mass media should

⁴ Law of the Republic of Uzbekistan on Countering Corruption 2017 («Коррупцияга қарши курашиш тўғрисида» 2017 йил 3 январь, ЎРҚ-419-сон, Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2017 й., 1-сон, 2-модда)

not only provide bare facts but also present expert opinions and professional reviews about the issue. Moreover, it is necessary to guarantee a full coverage of information. For instance, if a newspaper publishes news about occurrence of a corruption case, it should cover in detail all stages of the case from detention of suspects to the final judgement.

Another important point is accessibility of information in different languages, especially in English. As for now, the data on corruption in Uzbekistan is provided mainly in two languages – Uzbek and Russian. Sources in English have a very limited and in some cases outdated content. This restricts the access of foreign citizens as well as the whole international community to the data. Increased involvement of Uzbekistan in international cooperation on countering corruption is problematic without full and easy access of the world community to this information. Therefore, there is a need to share news, legislation, expert opinions and reports on corruption in Uzbekistan in English through online media.

Conclusion

The National Anti-Corruption Program for 2017-2018 of Uzbekistan sets out relevant anti-corruption measures and addresses necessary areas. However, explanation of some measures such as implementation of academic programs related to the issue in educational institutions is vague and unclear. Moreover, the Program is designated to tackle corruption on all levels and sectors, so sufficiency of a one-year time frame for its realization is questionable.

The Program emphasizes the role of public support of anti-corruption measures in solving the problem. This support can be achieved through elimination of skepticism towards effectiveness of the reforms along with their consistency and transparency.

In the education sector, corruption can be addressed by improvement of teachers' status in the society, anonymous evaluation of academic courses by students, submission of application documents electronically, and use of certificates of international testing systems during an admission process.

An important actor in combatting corruption is mass media. The mass media can be successful in this field only if it is deregulated, unbiased and independent. Media should not only provide information but also share a critical analysis of the issue. There is also a need in multilingual data on corruption in Uzbekistan that can be accessed by the international community.

In conclusion, one should not expect the complete eradication of corruption as a result of contemporary reforms. Indeed, the National Anti-Corruption Program for 2017-2018 addresses corruption issues at all levels and sectors. Nevertheless, elimination of the problem starts with tackling low-level corruption at first. Corrupt activities at this level are more evident and easier to deal with. Moreover, low-level corruption poses most of the daily obstacles and barriers to ordinary people. In view of the short time frame of the Program and seriousness of the issue in Uzbekistan, successful results can be expected only at lower levels and in the most problematic sectors.