



Uncovering the Root Causes of Corruption in Uzbekistan: A Comprehensive Legal Analysis

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Abstract

This article provides a comprehensive legal and sociological analysis of the key drivers behind persistent corruption in Uzbekistan. It identifies three primary causes: (1) inadequate salaries among public officials, which encourage bribery and embezzlement; (2) the lack of transparency in government recruitment and regulatory practices, which enables nepotism and abuse of power; and (3) the cultural normalization of corruption across various sectors, including education and healthcare. Drawing from legal texts, empirical data, and recent policy initiatives such as the use of police body cameras and anti-corruption education programs, the article explores the systemic nature of corruption and proposes institutional reforms. These include increased publication of regulatory documents, mandatory transparency in recruitment, and anti-corruption education in schools. By addressing both legal loopholes and deep-seated cultural practices, the proposed solutions aim to promote accountability, deter malpractice, and instill ethical governance practices in Uzbekistan.

Keywords: Corruption in Uzbekistan; Transparency; Nepotism; Anti-corruption policy; Legal reforms; Government accountability; Cultural acceptance of corruption; Recruitment transparency; Informal payments; Ethics in public service

Introduction

On March 29, 2024, a judge from the Chirakchi district court for civil affairs, identified as A.B., was arrested while accepting a bribe of \$200.¹ The Supreme Judicial Council has lifted the immunity of the detained judge and authorized legal proceedings against him. There may be various reasons why a judge, who is responsible for upholding justice and fighting corruption, would engage in corrupt activities. One possible scenario is that the judge's salary is insufficient to cover basic expenses. Another possibility is that the bribe was offered to the judge, rather than requested by him. Additionally, the judge may have acted out of greed or other personal motivations.

Admittedly, it is not uncommon for officials who are tasked with combating corruption to be implicated in corrupt activities themselves. In order to address and ultimately eliminate corruption, the government has taken steps to improve legislation. An example of this is the upcoming Uzbekistan's National Anticorruption Strategy, which aims to combat corruption more effectively.

¹ Kun.uz Kashkadarya judge arrested on bribery charges, judicial immunity suspended, 29.03.2024. URL: <https://kun.uz/en/37148978>



Research Results And Their Analysis

Understanding the Root Causes of Corruption

There are multiple causes of corruption, as identified by experts such as Professor Toke S. Aidt from Cambridge University² and Professor Štefan Šumah from the institut Phoenix, Ljubljana³. In Aidt's view, these causes can be categorized into economic and demographic factors, political institutions, judicial and bureaucratic factors, and geographical and cultural factors. Šumah highlights political and economic environment, professional ethics and legislation, as well as ethnological factors like customs and traditions as influential in the development of corruption.

This article specifically addresses three root causes of corruption in Uzbekistan. These root causes were identified as poverty (resulting in low salaries for government officials), lack of openness and transparency in government activities, and the cultural acceptance and normalization of corruption. These causes were determined through research conducted by the Anticorruption Agency of Uzbekistan and experts from the Regional Dialogue. Additionally, the review of various legal documents and programs related to combating corruption in Uzbekistan, such as the Law "On combatting corruption"⁴, Presidential Decrees PD-200⁵ and PD-6247⁶, and the National Anticorruption Program for 2023-2024 and the National Anticorruption Strategy 2030 (draft), revealed the country's priorities in tackling corruption and the importance of addressing these root causes effectively.

Cause 1: Poverty (Low Salaries of Government Officials)

The draft of Uzbekistan's Anticorruption Strategy emphasizes the critical necessity of increasing public servants' salaries through systemic reforms, citing low salaries as a significant driver of corruption. Additionally, experts from the World Bank have suggested that raising wages

² Aidt, Toke S. (2011) : The Causes of Corruption, CESifo DICE Report, ISSN 1613-6373, ifo Institut - Leibniz-Institut für Wirtschaftsforschung an der Universität München, München, Vol. 09, Iss. 2, pp. 15-19

³ Šumah Š (2018) Corruption, Causes and Consequences. Trade and Global Market. InTech. Available at: <http://dx.doi.org/10.5772/intechopen.72953>.

⁴ Law of the Republic of Uzbekistan on Combating Corruption, No. ZRU-419, dated 3 January 2017 // National Legal Database of Legislation of the Republic of Uzbekistan. Available at: <https://lex.uz/ru/docs/3088013>

⁵ Decree of the President of the Republic of Uzbekistan, of 27.11.2023 r. № DP-200 «On measures to further improve the anti-corruption system and increase the effectiveness of the system of public control over the activities of state bodies and organizations» // National Legal Database of Legislation of the Republic of Uzbekistan. Available at: <https://lex.uz/ru/docs/6983834>

⁶ Decree of the President of the Republic of Uzbekistan No. UP-6247, dated 16 June 2021 "On additional measures to ensure openness of the activities of state bodies and organizations, as well as effective implementation of public control"// National Legal Database of Legislation of the Republic of Uzbekistan. Available at: <https://lex.uz/docs/5459053>



could help combat corruption, especially in countries where public sector wages are disproportionately low.⁷

Public servants should be provided with stable and adequate salaries that allow them to meet various essential needs, including food, housing, transportation, healthcare, education, family expenses, and leisure activities. In this context, public servants are individuals appointed or elected to positions in public offices, such as those working for local or state governments in Uzbekistan, including judges, prosecutors, police officers, and khokims. According to the survey conducted by Kun.uz, the respondents were asked to name the main reason why some officials take bribes.⁸ Of the 483 people surveyed, 45% said that the main reason was the corruption of the system which describes the normalization of corruption in the country. At the same time, 22% see the reason in low wages.

Notably, not only public servants, but also civil servants, such as teachers and doctors, in particular, may need additional income to supplement their meager salaries, given the services they provide to students and patients. Research conducted by the Anti-Corruption Laboratory Project (2023-2024) revealed that, on average, 51% of obstetrics medical personnel's salaries do not cover their living expenses, and 61% consider their income insufficient for professional development expenses.⁹ Therefore, it can be argued that improving salaries to cover basic needs and recognize the efforts invested in their work could reduce the incentive for corruption.

Proposal: The government should implement systemic salary increases for public servants through well-planned reforms. Salaries should be set at a level that ensures they can meet their basic needs. To achieve this, it is advisable to study the experiences of foreign countries in determining appropriate salary levels for public officials that cover their necessities and support their professional growth.

Cause 2: Lack of Openness and Transparency in Government Activities

Corruption thrives in environments where government activities are shielded from public scrutiny. Transparency International highlights that corruption often occurs in the shadows, underscoring the significance of openness and transparency in combatting corrupt practices.¹⁰ When government organizations withhold information about their operations, it creates opportunities for corruption to flourish. For example, the lack of transparency in the recruitment processes within the prosecutor's office can pave the way for nepotism, wherein prosecutors may favor hiring their relatives, friends, or associates.

⁷ Demirgüç-Kunt A., Lokshin M., Kolchin V. Effects of public sector wages on corruption: Wage inequality matters //Journal of Comparative Economics. – 2023. – T. 51. – №. 3. – С. 941-959. URL: <https://documents1.worldbank.org/curated/en/387481619624669061/pdf/Effects-of-Public-Sector-Wages-on-Corruption-Wage-Inequality-Matters.pdf>

⁸ Kun.uz Узбекистанцы назвали главного внутреннего врага страны, 04.05.2019. URL: <https://kun.uz/ru/66351635>

⁹ Integrity and corruption risks in obstetrics provision, Anti-Corruption Laboratory Project, Tashkent 2023-2024. URL: <https://drive.google.com/file/d/1nsynu96BWSQa1SdLFOL3zaZa200Sq0FS/view>

¹⁰ <https://www.transparency.org/en/what-is-corruption>



In contrast, the Ministry of Justice's approach to transparency in the hiring process sets a positive example. By making recruitment procedures and related information publicly available on official websites and social media platforms like Telegram, Instagram, and YouTube, the Ministry promotes accountability and fairness. Providing access to interviews of candidates applying for positions enables citizens to assess the candidates' skills and knowledge, ultimately fostering trust in the recruitment process and deterring nepotism.

While laws such as the "On the openness of the activities of public authorities and management" establish principles of openness and transparency, gaps persist in the implementation of these regulations by government bodies. For instance, research conducted by the Yuksalish Movement revealed that crucial information from educational and healthcare public agencies was only partially accessible, with internal orders not being readily available to the public. This lack of transparency in sectors vital to society undermines accountability and may result in the placement of incompetent, dishonest, and corrupt individuals in critical positions, posing threats to economic stability and overall societal well-being.

Proposal: To address this issue, the government must enhance public access to the regulatory frameworks of all government institutions. Essential internal documents of governmental bodies should be easily accessible on their websites or platforms such as the National Database of Legislation of the Republic of Uzbekistan. By prioritizing transparency and accountability in governance, the government can mitigate corrupt practices and promote the selection of competent and ethical individuals for important roles, safeguarding the country's development and integrity.

Cause 3: Cultural Acceptance and Normalization of Corruption

One of the most insidious aspects of corruption is its normalization within society. When corruption becomes ingrained in the cultural fabric of a country, efforts to eradicate it face significant challenges. Unfortunately, in Uzbekistan, there is a tendency for individuals to offer bribes even when public officials do not explicitly request them. This normalization of corrupt practices can be seen in everyday scenarios, such as a driver offering a bribe to a police officer to avoid a traffic ticket for a minor offense. To address this issue, the government implemented the use of body cameras for police officers, enhancing transparency in their interactions and potentially deterring bribery attempts. A similar approach could have been beneficial in the case of the Namangan court chairman, where the defendant's father may have been inclined to offer a bribe to secure a favorable outcome for his son.

Moreover, students in higher education institutions often play a significant role in initiating corrupt practices. Data from the Anti-Corruption Laboratory Project 2023-2024 revealed that in 76.7% of corruption cases, students were the primary initiators, followed by 25.4% involving relatives of students and 15.6% involving influential authorities. Interestingly, teachers were the initiators in only 34.3% of corruption instances, underscoring the need to address corruption within the student demographic.

Additionally, certain public servants, such as doctors, may actively solicit bribes from patients for additional services or preferential treatment. Patients, in turn, may feel compelled to comply out of fear of negative repercussions, such as receiving subpar care if they do not offer a bribe. Surveys conducted as part of the Anti-Corruption Laboratory Project indicated that 71% of healthcare



representatives in the region acknowledged the existence of informal payments for services that should be free, highlighting the pervasiveness of corruption in the healthcare sector.

Proposal: To combat the cultural acceptance of corruption, it is crucial for the government to prioritize awareness-raising initiatives to educate the population on the detrimental effects of corrupt practices. Introducing a new subject on anti-corruption education in the school curriculum can empower the younger generation to understand the impact of corruption and instill values of integrity and ethical conduct from an early age, thereby fostering a culture of transparency and accountability in society.

Conclusion

The thorough legal analysis of the topic has unearthed three primary causes of corruption in Uzbekistan: the endemic poverty experienced by government officials due to low salaries, the pervasive lack of openness and transparency in government operations, and the cultural acceptance and normalization of corrupt practices. While the current research has illuminated these key factors, it is imperative to acknowledge that corruption is a multifaceted issue with myriad contributing factors that warrant further investigation.

We hope that the Uzbek government will carefully consider the insightful proposals outlined for each cause of corruption. By addressing the root causes of corruption and implementing effective anti-corruption measures, Uzbekistan can strive towards a more transparent, accountable, and ethical governance system, fostering a culture of integrity and trust within society.

The following table summarizes the key findings of the analysis shared through this article:

No	Causes of corruption	Proposals
1	Poverty (low salaries of government officials)	Increase public servants' salaries systemically
2	Lack of openness and transparency in government activities and operations	Improve the public's access to the regulatory framework of all government institutions.
3	Cultural Acceptance	Increase people's awareness of the consequences of corruption; add a new subject on combatting corruption to the school curriculum

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