

Prevention of Corruption in the Judicial System

Beknazarov Shukhrat Davletnazarovich
Karakalpak State University direction of legal education
2-year student

Annotation: Information on persons reporting corruption offenses, and the fact that the problem of corruption is one of the most pressing problems, it is reported that the prevention and fight against corruption is one of the important steps for the development of the state and society.

Key words: corruption, offenses, development, social phenomenon, trend.

In the world, assessing the effectiveness of measures aimed at combating corruption is becoming increasingly relevant. According to Transparency International, the situation with corruption has not changed at all over the past decade, so 2/3 of 180 countries scored less than 50 points on a 100-point scale, 131 countries did not make significant progress in the fight against corruption, 27 countries achieved the lowest score in this area in their history, and 154 countries showed negative dynamics or no positive shift.¹

At the same time, the scale of scientific research on the prevention, detection and timely elimination of corruption offenses, the development of measures to eliminate their consequences, causes and conditions that allow their occurrence is growing in the world. Based on them, in order to increase the effectiveness of the fight against corruption, especially with crimes related to bribery, it becomes necessary to introduce into practice special technical devices and devices, including the installation of electronic beacons for bribery, photo, video and audio fixation from different angles through the use of drones, a UFED device designed for forensic examination of cell phones, as well as new tactical methods for determining electronic devices using a nonlinear locator.

In our republic, in order to achieve the 84th goal of the Development Strategy of New Uzbekistan, special attention is paid to assessing the impact of legislation on corruption in the fight against corruption, served to identify such priority areas as the introduction of modern information technologies, including artificial intelligence technologies, in combating corruption, aimed at limiting the human factor in regulatory legal acts, ensuring the development of regulatory legal acts on the principle of "legislation without corruption", which requires a revision of regulatory legal acts and their drafts from the point of view of the effectiveness of anti-corruption expertise. In particular, the Development Strategy of the New Uzbekistan defines the priority task of "identifying areas and industries prone to corruption, increasing the effectiveness of the system for preventing corruption²factors, and forming an irreconcilable attitude in society to corruption."³

Corruption in the judicial system is a form of undue influence that is detrimental to the impartiality of justice, and can affect any entity in the justice system, the result of which will be the issuance of improper judicial acts, bias in hearing and decision-making. Prevention of corruption in the judicial system is an extra-procedural activity of the relevant subjects of the judicial system to study, identify and eliminate the causes and conditions conducive to the commission of corruption among judges and employees of the judicial apparatus.

corruption at the international level – associated with bribery of foreign officials, legalization of proceeds from criminal activity, concealment and international organized crime. corruption at the national level – arises as a result of interaction between authorities and administration, public associations and organizations, as well as officials and citizens in the business sector.

¹ <https://www.transparency.org/ru/press/2021-corruption-perceptions-index-press-release>

² Resolution of the President of the Republic of Uzbekistan "On measures to further improve the conduct of anti-corruption expertise of regulatory legal acts and their drafts" NoPP-5263 of October 22, 2021 // National Database of Legislation, 23.10.2021, No. 07/21/5263/0990.

³ Decree of the President of the Republic of Uzbekistan of January 28, 2022 "On the Development Strategy of the New Uzbekistan for 2022 - 2026" NoUP-60 // National Database of Legislation of the Republic of Uzbekistan. www.lex.uz.

In total, in Uzbekistan in 2021, 3769 cases of corruption crimes against 5483 people were sent to the courts. Compared to 2020, the number of criminal cases sent to court increased by 2621, and the number of persons brought to criminal responsibility increased by 3760 or 218%. As a result of committing corruption crimes, the interests of the state and society in 2020 suffered damage in the amount of 500 billion 102 million soums, recovered 355 billion soums or 71.0%, the amount of material damage in 2021 amounted to 1 trillion 282 billion soums, of which 887 billion soums or 69.1% were recovered⁴.

In addition, a systematic coverage of the process of conducting interrogation tactics and the issues solved on it was made. When inspecting the place of commission of corruption crimes, the investigator must carry out the following actions:

- 1) search for various traces (fingerprints, shoes, traces of vehicles) left by the participants in the crime at the scene and adjacent territories;
- 2) search for objects (cigarette butts, pens, telephones, hats, etc.) left or abandoned by the participants in the crime, identification of dna samples taken;
- 3) identification of microfibers, microparticles and traces of the hands of criminals that could remain on objects, clothing, vehicles.

Based on a comprehensive study of the forensic aspects of the investigation of corruption crimes and the analysis of law enforcement practice, the following conceptual conclusions, scientific and practical proposals and recommendations for further improvement of legislation are presented:

-Corruption is a complex negative social and legal phenomenon that undermines the social, political and economic foundations of any state and society, the population's trust in the state and the image of the state itself in the international arena.

- on the impact of legislative acts on corruption - activities aimed at preventing and countering corruption by analyzing, identifying and assessing the factors and risks of corruption in state bodies, scientific organizations, civil society institutions and public relations of citizens in society, existing regulatory legal acts and their drafts

- the national legislative system of each state differs from each other in its own characteristics and it is impossible to unambiguously assess the impact of legislation on corruption;

- in some developed countries, the influence of openness and public control is strong, there is no need for special assessments due to the activity of civil society institutions, a high level of legal consciousness and culture of the population;

- lack of professional personnel with a high level of both theoretical knowledge and practical skills, as specialists involved in the assessment process;

- ignorance of the population about the factors and risks of corruption in law enforcement practice.

Andused references:

1. <https://www.transparency.org/ru/press/2021-corruption-perceptions-index-press-release>
2. Resolution of the President of the Republic of Uzbekistan "On measures to further improve the conduct of anti-corruption expertise of regulatory legal acts and their drafts" NoPP-5263 of October 22, 2021 // National Database of Legislation, 23.10.2021, No. 07/21/5263/0990.
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4. Zhalolov Sherzod Rustamovich. Corruption bilan boglik zhinoyatlarni tergov kilishning criminology zhigatlari. Yuridik fanlar bijicha falsaf Doctor (PhD) dissertation Autoreferate. 2022.

⁴ Жалолов Шерзод Рустамович. Corruption bilan boglik zhinoyatlarni tergov kilishning criminology zhigatlari. Юридик фанлар бўйича фалсафа доктори (PhD) диссертацияси Abstract. 2022.