

Unofficial translation

## LAW OF THE REPUBLIC OF UZBEKISTAN

### ON COMBATING CORRUPTION

Adopted by the Legislative Chamber on November 24, 2016

Approved by the Senate on December 13, 2016

#### Chapter 1. General provisions

##### Article 1. Purpose of the present Law

The purpose of the present Law is to regulate relations in the field of combating corruption.

##### Article 2. Legislation on combating corruption

Legislation on combating corruption consists of the present Law and other legislative acts.

If the international agreement of the Republic of Uzbekistan establishes other rules than those provided for by legislation on combating corruption, the rules of the international treaty are applied.

##### Article 3. Basic concepts

The following basic concepts are used in the present Law:

**corruption** — illegal use by a person of official or duty position with the aim of obtaining tangible or intangible benefits in personal interests or in the interests of other persons, and an unlawful provision of such benefit;

**corruption offense** — an act possessing signs of corruption, for fulfillment of which the legislation provides for liability;

**conflict of interests** — a situation, in which personal interest (direct or indirect) affects or can affect the proper performance by a person of official obligations or duties and in which arises or may arise a contradiction between personal interest and the rights and legitimate interests of citizens, organizations, society or the state.

##### Article 4. Basic principles of combating corruption

The main principles of combating corruption are:

legality;

priority of rights, freedoms and legitimate interests of citizens;

openness and transparency;

systemacy;

interaction of the state and civil society;

priority of measures to prevent corruption;

inevitability of responsibility.

##### Article 5. The main directions of state policy in the field of combating corruption

The main directions of the state policy in the field of combating corruption are:

increase of a legal awareness and legal culture of the population, formation of an intolerant attitude towards corruption in the society;

implementation of measures to prevent corruption in all spheres of a life of the state and society;

timely detection, suppression of corruption offenses, elimination of their consequences, causes and conditions that contribute to it, ensuring a principle of inevitability of responsibility for committing corruption offenses.

##### Article 6. State and other programs in the field of combating corruption

State policy in the field of combating corruption can be implemented on the basis of state and other programs.

State and other programs are developed and implemented in order to ensure effective implementation of the provisions of the present Law, adoption of comprehensive and systemic measures to counter corruption based on a state and trends of corruption.

## **Chapter 2. Bodies and organizations carrying out and participating in anti-corruption activities**

### **Article 7. State bodies carrying out anti-corruption activities**

State bodies directly engaged in anti-corruption activities are:

General Prosecutor's Office of the Republic of Uzbekistan;

State Security Service of the Republic of Uzbekistan;

Ministry of Internal Affairs of the Republic of Uzbekistan;

Department for Combating Tax, Currency Crimes and Legalization of Criminal Incomes under the General Prosecutor's Office of the Republic of Uzbekistan.

Department for Combating Economic Crimes under the Prosecutor General's Office of the Republic of Uzbekistan.

### **Article 8. Interdepartmental Commissions for Combating Corruption**

To coordinate activities of the bodies and organizations that carry out and participate in anti-corruption activities, the Republican Interdepartmental Commission for Combating Corruption (further - the Interdepartmental Commission) is established. The order of formation and activities of the Interdepartmental Commission is determined by the President of the Republic of Uzbekistan.

In the Republic of Karakalpakstan, regions and the Tashkent City territorial interdepartmental commissions for combating corruption (hereinafter - territorial interdepartmental commissions) are established in accordance with the procedure established by legislation.

The main tasks of the Interdepartmental Commission are:

organization of development and implementation of state and other programs in the field of combating corruption;

coordination of activities and ensuring interaction of bodies and organizations that carry out and participate in anti-corruption activities;

organization of development and implementation of measures to increase legal consciousness and legal culture of the population, formation of an intolerant attitude towards corruption in the society;

ensuring increase of efficiency of measures to prevent, detect, curb corruption offenses, eliminate their consequences, and causes and conditions that contribute to it;

collection and analysis of information on a status and trends of corruption;

monitoring of implementation of anti-corruption measures, assessing efficiency of existing organizational, practical and legal mechanisms in the area;

preparation of proposals on improving the legislation on combating corruption and improving work in the area;

coordination of activities of the territorial interdepartmental commissions.

### **Article 9. Powers of the General Prosecutor's Office of the Republic of Uzbekistan in the field of combating corruption**

The General Prosecutor's Office of the Republic of Uzbekistan within the limits of its authority:

participates in development and implementation of state and other programs in the field of combating corruption;

supervises an accurate and identical enforcement of anti-corruption legislation;

coordinates activities of the bodies that carry out operative crime detection activities, pre-investigation, inquiry, preliminary investigation and prevention of offenses in the field of combating corruption;

conducts a preliminary investigation into crimes related to corruption;

collects and analyzes information on a state of corruption and results of combating corruption;

examines appeals of individuals and legal entities on the facts of corruption and takes measures to restore their violated rights and protect legitimate interests;

participates in law-making activities in the field of combating corruption, including in the implementation of a right of legislative initiative;

participates in activities of legal propaganda among the population aimed at increasing legal consciousness, legal culture in society and strengthening the rule of law;

develops and implements measures to ensure timely prevention, detection and suppression of corruption offenses, elimination of their consequences and the reasons and conditions that contribute to it;

interacts with other bodies and organizations that carry out and participate in anti-corruption activities;

carries out international cooperation in the field of combating corruption.

The General Prosecutor's Office of the Republic of Uzbekistan may exercise other powers in accordance with the legislation.

#### **Article 10. Powers of the State Security Service of the Republic of Uzbekistan in the field of combating corruption**

The State Security Service of the Republic of Uzbekistan within the limits of its authority:

participates in development and implementation of state and other programs in the field of combating corruption;

carries out operative crime detection activities, pre-investigation and preliminary investigation on the crimes connected with corruption;

collects and analyzes information on a state of corruption and results of combating corruption, assesses threats to the national security, provides relevant information to relevant government authorities;

examines appeals of individuals and legal entities on facts of corruption and takes measures to restore their violated rights and protect legitimate interests;

develops and implements measures to ensure timely prevention, detection and suppression of corruption offenses, elimination of their consequences, and reasons and conditions that contribute to it;

interacts with other bodies and organizations that carry out and participate in anti-corruption activities;

carries out international cooperation in the field of combating corruption.

The State Security Service of the Republic of Uzbekistan may exercise other powers in accordance with the legislation.

#### **Article 11. Powers of the Ministry of Internal Affairs of the Republic of Uzbekistan in the field of combating corruption**

The Ministry of Internal Affairs of the Republic of Uzbekistan within the limits of its authority:

participates in development and implementation of state and other programs in the field of combating corruption;

carries out operative crime detection activities, pre-investigation, inquiry and preliminary investigation on the crimes connected with corruption;

collects and analyzes information on a state of corruption and results of combating corruption, provides necessary information to the relevant government agencies;

examines appeals of individuals and legal entities on the facts of corruption and takes measures to restore their violated rights and protect legitimate interests;

participates in activities of legal propaganda among the population aimed at increasing a legal consciousness, legal culture in society and strengthening the rule of law;

ensures recording and analysis of statistical data on corruption offenses;

develops and implements measures to ensure timely prevention, detection and suppression of corruption offenses, elimination of their consequences, and reasons and conditions that contribute to it;

interacts with other bodies and organizations that carry out and participate in anti-corruption activities;

carries out international cooperation in the field of combating corruption.

The Ministry of Internal Affairs of the Republic of Uzbekistan may exercise other powers in accordance with the legislation.

#### **Article 12. Powers of the Ministry of Justice of the Republic of Uzbekistan in the field of combating corruption**

The Ministry of Justice of the Republic of Uzbekistan within the limits of its authority:

participates in development and implementation of state and other programs in the field of combating corruption;

participates in legislative activities in the field of combating corruption;

carries out and coordinates activities of legal promotion among the population aimed at increasing a legal consciousness, legal culture in society and strengthening the rule of law;

participates in implementation of measures for legal education and training in the field of combating corruption in educational institutions;

analyzes regulatory legal acts and their drafts with a view to identifying in them provisions and norms that create conditions for corruption;

takes measures to eliminate causes and conditions conducive to corruption;

interacts with other bodies and organizations that carry out and participate in anti-corruption activities;

carries out international cooperation in the field of combating corruption.

The Ministry of Justice of the Republic of Uzbekistan may exercise other powers in accordance with the legislation.

#### **Article 13 Powers of the Department for Combating Economic Crimes under the Prosecutor General's Office of the Republic of Uzbekistan in the field of combating corruption**

Department for Combating Economic Crimes under the Prosecutor General's Office of the Republic of Uzbekistan within the limits of its authority:

participates in development and implementation of state and other programs in the field of combating corruption;

carries out operative crime detection activities, pre-investigation and an inquiry on crimes related to legalization of incomes received from criminal activity, economic and other crimes related to corruption;

organizes and conducts monitoring of transactions with cash and other property to identify possible channels and mechanisms for legalization of proceeds from criminal activity;

informs timely the relevant state bodies about revealed corruption offenses for organizing criminal prosecution and taking other measures of legal effect;

develops and implements measures to ensure timely prevention, detection and suppression of corruption offenses, elimination of their consequences, and reasons and conditions that contribute to it;

interacts with other bodies and organizations that carry out and participate in anti-corruption activities;

carries out international cooperation in the field of combating corruption.

Department for Combating Economic Crimes under the Prosecutor General's Office of the Republic of Uzbekistan may exercise other powers in accordance with the legislation.

#### **Article 14. Participation of citizens' self-government bodies, non-governmental non-profit organizations and citizens in combating corruption**

Citizens' self-government bodies, non-governmental non-profit organizations and citizens can:

participate in development and implementation of state and other programs in the field of combating corruption;

participate in raising a legal consciousness and legal culture of the population, forming an intolerant attitude towards corruption in the society;

exercise public control over implementation of anti-corruption legislation;

make proposals on improvement of anti-corruption legislation;

interact with state bodies and other organizations in the field of combating corruption.

Citizens' self-government bodies, non-governmental non-profit organizations and citizens can participate in other events in accordance with the legislation.

Non-governmental non-profit organizations, in order to implement measures provided for in the present article, participate in activities of the Interdepartmental Commission and territorial interdepartmental commissions and working groups, commissions and public consultative bodies under state bodies in order established by the legislation.

### **Article 15. Participation of the mass media in combating corruption**

Mass media:

participates in development and implementation of state and other programs in the field of combating corruption;

highlights events aimed at implementing state policy in the field of combating corruption, including increasing a legal consciousness and legal culture of the population, creating an intolerant attitude towards corruption in society;

carries out a public control over implementation of anti-corruption legislation;

interacts with state bodies and other organizations in the field of combating corruption.

The mass media can participate in other events in accordance with the legislation.

## **Chapter 3. Raising a legal consciousness and legal culture in the field of combating corruption**

### **Article 16. Raising a legal consciousness and legal culture of the population, formation of intolerant attitude towards corruption in society**

In order to combat corruption state bodies and other organizations take necessary measures to increase a legal consciousness and legal culture of the population, form an intolerant attitude towards corruption in the society, including through awareness-raising, organization of legal upbringing and education, scientific and practical events, development of methodological and scientific literature on anti-corruption issues.

### **Article 17. Increase of legal literacy of personnel of state bodies and other organizations**

State bodies and other organizations take necessary measures to increase legal literacy, including a level of legal knowledge of officials and other employees in the field of combating corruption.

### **Article 18. Legal education and upbringing in the field of combating corruption in educational institutions**

Legal education and training in the field of combating corruption in educational institutions is carried out in accordance with established state educational standards.

The state educational authorities and educational institutions are to develop measures aimed at legal education and upbringing, improving a quality of professional training of specialists in educational institutions, continuous improvement of educational programs taking into account the main directions of state policy in the field of combating corruption.

## **Chapter 4. Measures to prevent corruption**

### **Article 19. Measures to prevent corruption in the sphere of public administration**

Measures to prevent corruption in public administration are:

ensuring openness of activities of state bodies and their accountability, increasing efficiency of the public administration system, strengthening a responsibility of state bodies, their officials and other employees for performing their tasks;

implementation of parliamentary and public control over activities of state bodies in the field of combating corruption;

prevention of corruption offenses in activities of state bodies and their employees;

introduction of performance criteria, standards and systems for assessing a quality of implementation by officials and other employees of state bodies of their official duties;

effective implementation of the rules of ethical conduct of employees of state bodies, defining common principles and rules of ethical conduct in professional and non-official activities;

improvement of organizational and legal bases in resolving conflicts of interests of state employees, ensuring a conduct of monitoring of their compliance;

definition of a legal status of employees of state bodies, establishment of a transparent procedure for passage of service, introduction of competitive selection and promotion system based on personal and professional qualities, principles of openness, impartiality, justice and objectivity;

ensuring control over compliance by state bodies with requirements of legislation on appeals from individuals and legal entities, full, objective and timely consideration of appeals, taking by them, within their powers, of measures to restore violated rights and freedoms and protect legitimate interests of individuals and legal entities;

regular monitoring of implementation of measures to prevent corruption in the activities of state bodies with assessment of measures taken by them;

organization of anti-corruption expertise of normative legal acts and their drafts;

ensuring effective social protection, material support and stimulation of officials and other employees of state bodies.

The legislation may provide for other measures to prevent corruption in public administration.

Officials and other employees of state bodies and other organizations are obliged to observe the law, fulfill their official obligations and duties impartially, objectively, in good faith, observing the rules of ethical behavior and refrain from committing any corruption offenses or any other actions creating conditions for a commission of such offenses.

## **Article 20. Measures to prevent corruption in the sphere of social and economic development and entrepreneurship**

Measures to prevent corruption in the area of social and economic development and entrepreneurship are:

elimination of administrative and bureaucratic barriers, simplification and increase in speed of registration, permission and licensing procedures;

optimization of control and supervisory functions of state bodies, improvement of a system of inspections of business entities, prevention of illegal interference in their activities;

wide introduction of distance forms of relationships between state bodies and business entities;

creation of equal conditions for conducting business activities and prevention of unfair competition;

introduction of effective legal mechanisms for public procurement, ensuring transparency, and maintaining a competitive environment in distribution of public procurement;

creation of fair conditions and equal opportunities for the population in the sphere of education, health, social security, public services and other spheres of social and economic development, non-admission of corruption offenses;

introduction of effective mechanisms to combat corruption in non-governmental organizations.

Legislation may provide for other measures to prevent corruption in the sphere of socio-economic development and entrepreneurship.

## **Article 21. Measures to prevent and resolve conflicts of interest**

Employees of state bodies while performing official obligations or duties should not allow personal interest, which leads or may lead to a conflict of interests.

In the cases of a conflict of interests, government officials should promptly inform their immediate supervisor. The head, who received information about the presence of a conflict of interests, is obliged to take timely measures to prevent or resolve it.

Special units or ethics commissions of state bodies monitor compliance with rules for resolving conflicts of interest.

Employees of state bodies and their managers, who committed a violation of the requirements for prevention or settlement of conflicts of interest, are liable in accordance with the legislation.

## **Article 22. Measures to prevent corruption in the field of administrative procedures**

Measures to prevent corruption in the area of administrative procedures are:

ensuring principles of legality and justice, creating guarantees for a impartiality of administrative and managerial process, increasing its transparency, accessibility for external and internal control;

detailed regulation of administrative procedures with restriction of discretionary powers, non-admission of bureaucratic formalism;

introduction of simplified administrative procedures;

establishment of effective mechanisms for appealing decisions of state bodies and compensation for damage caused.

Legislation may provide for other measures to prevent corruption in the field of administrative procedures.

## **Article 23. Measures to prevent corruption in the field of public procurement**

Measures to prevent corruption in public procurement are:

ensuring transparency and accessibility of information on procedures for public procurement;

ensuring fair competition and using objective criteria in decision-making;

creating an effective system of internal control and procedures for appealing and challenging the results of public procurement;

ensuring an effective functioning of state electronic trading.

Legislation may provide for other measures to prevent corruption in the field of public procurement.

## **Article 24. Anticorruption examination of normative legal acts and their drafts**

Anticorruption examination of normative legal acts and their drafts is a process aimed at:

identification of corruption-related factors that create a possibility of committing corruption offenses;

general assessment of consequences of adoption of a draft creating a possibility of committing corruption offenses;

forecasting a possibility of occurrence of risks of a corrupt nature in the process of application of regulatory legal acts;

development of recommendations and adoption of measures aimed at elimination of the identified corruption-related factors.

Anticorruption examination of normative legal acts and their drafts is carried out by state bodies and other organizations in relevant areas of activities in accordance with the procedure established by legislation.

## **Chapter 5. Detection, suppression of corruption offenses, inevitability of responsibility**

### **Article 25. Measures for a timely detection and suppression of corruption offenses, ensuring a principle of inevitability of responsibility for a commission of corruption offenses**

Measures for a timely detection and suppression of corruption offenses, ensuring a principle of inevitability of responsibility for a commission of corruption offenses are:

organization of effective work of state bodies carrying out anti-corruption activities based on a systematic analysis of a state and trends of corruption, prevention of corruption offenses in their activities;

application of modern forms and methods of combating corruption offenses, raising a level of technical support for law enforcement agencies, introducing modern information and communication technologies into their work;

ensuring an autonomy and independence of courts, openness of their activities;

ensuring coordination and interaction between state bodies engaged in anti-corruption activities;

ensuring full, objective and timely consideration of appeals of individuals and legal entities on the facts of corruption offenses;

ensuring a protection of persons reporting information about corruption offenses;

creating effective criminal and procedural mechanisms for combating corruption.

## **Article 26. Obligation of employees of state bodies to notify on facts of corruption offenses**

Employees of state bodies are obliged to notify their supervisor or law enforcement bodies about all cases of addressing to them of any persons in order to inciting them to commit corrupt offenses and of any facts of such offenses committed by other employees of state bodies.

Failure of employees of state bodies to perform the duties provided for in the [first part](#) of the present article shall entail liability in accordance with the legislation.

## **Article 27. Responsibility for corruption offenses**

The commission of corruption offenses entails responsibility in accordance with the legislation.

Persons, who committed an offense of corruption, may be deprived of certain rights by the court decision, including the right to hold certain positions in accordance with the legislation.

Legal entities are liable for committing corrupt offenses in accordance with the procedure established by the legislation.

## **Article 28. Protection of persons reporting information on corruption offenses**

Persons reporting information on corruption offenses are protected by the state, except cases established by the legislation.

Persecution of persons reporting information about corruption offenses leads to responsibility in accordance with the legislation.

The rules of the present article do not apply to persons, who have reported deliberately false information about corruption offenses, who are liable in accordance with the legislation.

## **Article 29. Cancellation or change of decisions made as a result of corruption offenses**

Decisions adopted as a result of corruption offenses may be cancelled or changed by an authorized state body, another organization or an official, or recognized invalid by judicial procedure at a request of the person concerned.

In the case of cancellation, change or invalidation of a decision adopted as a result of the commission of corruption offenses, the damage caused to individuals and legal entities as a result of its adoption is subject to reimbursement in accordance with a procedure established by legislation.

## **Chapter 6. Final provisions**

### **Article 30. Research in the field of corruption**

Research of a state of corruption, its nature, scope, dynamics and trends, and efficiency of implementation of state policy in the field of combating corruption is carried out by state bodies in cooperation with citizens' self-government bodies, non-state non-profit and other organizations, mass

media, and citizens on a regular basis by the means of conducting sociological, special, scientific and other types of research.

Sociological researches include a systematic study of public opinion by conducting sociological surveys and using other methods to identify sectors and spheres most liable to corruption, causes and conditions of its occurrence, and establishment of social groups involved in this activity.

Special researches include a regular systematic analysis of the results of activities of law enforcement and supervisory bodies on combating corruption, a state of corruption, statistical analysis of corruption indicators, a study of nature and scope, dynamics and trends of corruption in all spheres of a life of the state and society.

Scientific researches include carrying out of scientific researches on problems of combating corruption, development of scientific methods and recommendations, their rational introduction into practice, forecasting and scientific analysis of efficiency of forms and methods applied in combating corruption.

The state supports and stimulates research in the field of combating corruption.

### **Article 31. Access to information**

Everyone has the right to access information on organization and functioning of state bodies, on processes of adoption of acts related to this person or a group of persons.

State bodies, citizens' self-government bodies, non-governmental non-profit organizations and other organizations provide the mass media with information about events, facts, phenomena and processes related to corruption that are of interest to the society in accordance with the procedure established by the legislation.

Access to information may be restricted only in accordance with the legislation.

### **Article 32. International cooperation in the field of combating corruption**

International cooperation in the field of combating corruption is carried out in accordance with the legislation and the international treaties of the Republic of Uzbekistan.

State bodies engaged in anti-corruption activities have the right to send requests to competent authorities of foreign countries on a provision of necessary information and respond to their requests.

State bodies that carry out anti-corruption activities take measures to return property obtained as a result of corruption offenses in accordance with the legislation and the international treaties of the Republic of Uzbekistan.

### **Article 33. Bringing legislation in line with the present Law**

The Cabinet of Ministers of the Republic of Uzbekistan shall:

- bring the decisions of the government in accordance with the present Law;
- ensure the revision and cancellation by the public administration authorities of their regulatory and legal acts that are contrary to the present Law.

### **Article 34. Entry into force of the present Law**

The present Law comes into force from the day of its official publication.

**President of the Republic of Uzbekistan Sh. MIRZIYOYEV**

Tashkent city,  
January 3, 2017,  
No. LRU-419