

Identifying the Main Causes of Corruption in Uzbekistan: Legal Analysis

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Abstract: This paper describes the main causes of corruption in the Republic of Uzbekistan. The paper analyses three main causes of corruption – poverty, lack of openness and transparency in government activities and operations, and culture – and gives proposals on how to prevent corruption from happening. The author underlines the current need to curb and subsequently eradicate corruption in Uzbekistan by proposing solutions for each cause of corruption.

Keywords: corruption, public officials, poverty, transparency and openness, culture, bribe

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Introduction

Corruption has become a key concern of Uzbekistan since it is ranked 121 out of 180 countries assessed by the Corruption Perceptions Index (Transparency International 2023) [1]. Although our country has built a strong legal framework for combatting corruption – for example, by adopting the Law “On the accession of the Republic of Uzbekistan to the United Nations Convention Against Corruption (New York, October 31, 2003)” in 2008, or the Law “On combatting corruption” in 2017 and several different legal acts of the President and the Cabinet of Ministers between 2021-2023 – there are still a plethora of cases where government officials were arrested for engaging in corruption. These cases showcase the urgent need to curb and eventually eradicate corruption in Uzbekistan. To achieve this, we need to identify its main causes.

Corruption and its causes

According to Transparency International, corruption is the abuse of entrusted power for private gain [2]. The legal definition of this term is provided in the Law of Uzbekistan “On combatting corruption”. Article 3 of this law defines corruption as “illegal use by a person of official or duty position to obtain tangible or intangible benefits in personal interests or the interests of other persons, and an unlawful provision of such benefit” [3]. There are several factors which contribute to the occurrence of corruption. In this article, we try to explain the main causes of corruption with a primary focus on officials of law enforcement agencies and judicial authority of Uzbekistan.

Cause 1. Poverty (low salaries of government officials)

Public servants (e.g. prosecutors, judges, doctors, teachers) must have a stable and decent salary that can cover a number of expenses. Generally, these expenses include costs for food, housing, transport, health, education, family, entertainment, and recreation. Judges and prosecutors often work beyond the standard

hours set by labor legislation, putting in additional hours or even working till midnight [4]. This extended workload can cause dissatisfaction with their relatively low salaries, as the salaries they receive fail to adequately reflect the efforts they put into their work. Other public servants, such as teachers and doctors would also require additional money for the services they provide to students and patients to 'complement' their meager salaries. Findings of the Anti-Corruption Laboratory Project (2023-2024) illustrated that on average **51%** of obstetrics medical personnel's salaries do not cover their living needs, and on average **61%** of them regard their income as insufficient to cover the expenses of professional development [5, p. 17]. Thus, the following argument can be formed: "If my salary covers all my basic expenses and needs, and it compensates for the energy I invest in my job, then I wouldn't need to commit corruption."

Proposal: The government has to increase public servants' salaries systemically through well-planned reforms. However, other factors contributing to corruption equally should be taken into account as causes of corruption are not limited to poverty (low salaries).

Cause 2. Lack of openness and transparency in government activities and operations

Openness and transparency – making information publicly available. Transparency International notes that "corruption happens in the shadows" [6]. Corruption occurs when government organizations do not provide information about their activities. For instance, data about recruitment procedures (legal acts involving specific criteria for candidates, tests, and interviews) in the prosecutor's office are not available to the public. This can lead to nepotism, one of the common forms of corruption when acting prosecutors employ their relatives, friends or associates. Meanwhile, the Ministry of Justice approaches the hiring process differently. Any information related to this process can be found publicly on the official website of the ministry or social network platforms like Telegram, Instagram and YouTube. In other words, one can see a full interview of all candidates applying for a certain position, and analyze whether the candidate demonstrated good or bad skills and knowledge. It increases people's trust in the integrity of the recruitment procedures and deters nepotism.

Transparency also means ensuring that citizens can access, understand and use the information. The survey conducted by the Yuksalish Movement in 2021-2023 on transparency and responsiveness of seven educational public agencies showed that socially important information was partially accessible, and internal orders were not in public access [7, p. 16]. In addition, willingness to provide requested information was either low or good. A similar pattern was observed in the research done across seven healthcare public agencies [5, p. 26]. This implies that the education and healthcare sectors are lacking in openness and transparency.

Overall, this cause has a disastrous consequence: incompetent, lazy, dishonest and corrupted people might get strategically, socially, politically and economically significant positions which later can ruin, for example, the economic stability and growth of the country. These people also will demand large sums from the public in return for the services they provide since they also "gave money" to achieve the position.

Proposal: The government needs to improve the public's access to the regulatory framework of all government institutions. Particularly, internal documents of government bodies that hold social significance should be accessible on their websites or the National Database of Legislation of the Republic of Uzbekistan.

Cause 3. Culture

The worst thing about corruption is that people can normalize it. Once corruption becomes a way of life, eradicating it would be nearly impossible. Regrettably, people in Uzbekistan tend to initiate bribes despite the public official does not hint at it. For example, a driver offers a bribe to the police officer to not receive a ticket for committing an administrative offense. To prevent this, our government introduced "body cameras" of police officers which provided transparency of their actions. The same could have

happened in the case of Namangan's court chairman as the defendant's father might have initiated a bribe to get his son a lighter sentence. Moreover, students at higher education institutions seem to be the main initiators of corruption. According to the results of Anti-Corruption Laboratory Project 2023-2024, in **76,7%** of cases, students initiated corruption, **25,4%** - relatives of students, and **15,6%** - influential authorities. Interestingly, only in **34,3 %** of situations, teachers were the first movers in corruption cases [7, p. 13].

Yet another group of public servants still try to solicit a bribe. Doctors, for example, will gladly require additional money or gifts for their services. Citizens agree to give this money because they are afraid of the repercussions of not giving a bribe, for instance: a follow-up service will not be provided, a doctor will treat patients differently based on the "gift" they received from a patient, etc. Notably, **71%** of representatives from the region health confirmed that unofficial (informal) payments exist for services that should be free, according to the surveys conducted as part of the Anti-Corruption Laboratory Project [5, p.].

Hence, in two cases corruption (in a limited meaning) will disappear: a) when there is no person to take a bribe; b) when there is no person to give a bribe.

Proposal: The government has to introduce novel mechanisms for increasing people's awareness of the consequences of corruption. A new subject on combatting corruption should be added to the school curriculum, as the best way of teaching the nation is to start teaching from the young generation.

Conclusion

The legal analysis of the topic revealed three main causes of corruption: poverty (low salaries of government officials), lack of openness and transparency in government activities and operations, and culture. Since the scope of the research is limited to some extent, further studies shall be conducted. However, these causes are essential as many other factors contributing to corruption arise from them. The author hopes that the Uzbek government will consider the proposals provided for each cause of corruption.

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

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

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