ISTANBUL ANTI-CORRUPTION ACTION PLAN

THIRD ROUND OF MONITORING

UZBEKISTAN

PROGRESS UPDATE

This document contains progress update and assessment of the implementation of recommendations from the Third Round of Monitoring of the Istanbul Anti-Corruption Action Plan for Uzbekistan adopted at the 17th ACN Plenary meeting on 16 September 2016. The progress update was adopted at the 18th ACN Plenary meeting on 13 September 2017.
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BACKGROUND

About the OECD
The OECD is a forum in which governments compare and exchange their policy experiences, identify good practices in light of emerging challenges, and encourage the adoption of decisions and recommendations to produce better policies for better lives to their citizens. The OECD mission is to promote policies that improve economic and social well-being of people around the world. Find out more at www.oecd.org.

About the Anti-Corruption Network for Eastern Europe and Central Asia
Established in 1998, the main objective of the Anti-Corruption Network for Eastern Europe and Central Asia (ACN) is to support its member countries in their efforts to prevent and fight corruption, exchange of information, elaboration of best practices and donor coordination via regional meetings and seminars, peer-learning programs, and thematic projects. The Istanbul Anti-Corruption Action Plan is a part of ACN. Find out more at www.oecd.org/corruption/acn.

About the Istanbul Anti-Corruption Action Plan
The Istanbul Anti-Corruption Action Plan (IAP) – is a sub-regional peer-review program launched in 2003 in the framework of the ACN. It supports anti-corruption reforms in Armenia, Azerbaijan, Georgia, the Kyrgyz Republic, Kazakhstan, Mongolia, Tajikistan, Ukraine and Uzbekistan through country reviews and continuous monitoring of participating countries’ implementation of recommendations to assist in the realization of the UN Convention against Corruption (UNCAC) and other international standards and best practice. Find out more at www.oecd.org/corruption/acn/istanbulactionplan.
PROGRESS UPDATE METHODOLOGY SUMMARY

After the adoption of the monitoring report, the evaluated country presents progress update at each subsequent ACN Plenary meeting.

The Progress Update begins with a description of the methodology, followed by the summary of the assessment of recommendations implementation, that was adopted at the plenary meeting. Progress Update goes into each recommendation separately, first providing a description of the measures implemented by the authorities, as well as the ACS and expert evaluation.

Preparation of the Progress Update consists of the following steps:

1. Progress Update reports are prepared by country representatives
   These documents include information on implementation measures taken for each recommendation, and may also cover additional anti-corruption developments. Country representatives submit a written Progress Update report to the ACN Secretariat through appointed National Coordinators, together with supporting documents, such as laws and statistical data. Civil society also submits alternative reports on progress.

2. Preparation of preliminary assessment by ACN Secretariat and experts
   The Secretariat and the experts who contributed to the Monitoring Reports (or delegates replacing the experts) study the Progress Update reports and prepare a draft progress assessment for the Plenary Meeting. Civil society is also invited to contribute to the evaluation.

3. Discussion at ACN Plenary meeting
   ACN Secretariat and experts discuss the Progress Update during a bilateral preparatory meeting with country representatives. The Plenary then discusses the draft report and endorses the assessment.

4. Finalization of Progress Update
   Following the Plenary Meeting, the Secretariat adds the final assessment to the Progress Update reports, taking into account the discussion in the plenary and publishes them on the ACN website.
PROGRESS UPDATE SUMMARY

17th ACN Plenary Meeting, 14-15 September 2016:

The third round of monitoring report on Uzbekistan in the framework of the Istanbul Anti-Corruption Action Plan was adopted at the Anti-Corruption Network for Eastern Europe and Central Asia plenary meeting on October 9, 2015 at the OECD Headquarters in Paris.

The progress update on the implementation of the Third Round of Monitoring Recommendations on Uzbekistan was presented by the National Coordinator – the General Prosecutor’s Office of Uzbekistan. Information has been studied by the monitoring team consisted of Ms. Iluta Seisane, Chief specialist for policy planning, the Bureau for Preventing and Fighting Corruption (Latvia), Ms. Altinay Kapysheva, Head of Department, Ministry of Civil Service Affairs (Kazakhstan), Ms. Aijanat Kushtarova, Head of Anti-Corruption Monitoring Department, Ministry of Civil Service Affairs (Kazakhstan), Ms. Aigerim Parmenova, Department for External Analysis of Corruption Risks, Ministry of Civil Service Affairs (Kazakhstan), Mr. Andrey Kukharuk (OECD Secretariat). The progress update was discussed and adopted at the plenary meeting of the OECD Istanbul Anti-Corruption Action Plan on September 15, 2016. Out of 19 recommendations of the third monitoring round that were covered by the progress update, plenary noted large progress in relation to 5 recommendations, progress – to 13 recommendations, whereas the lack of progress in relation to 1 recommendation.

18th ACN Plenary Meeting, 12-14 September 2017:

The progress update on the implementation of the Third Round of Monitoring Recommendations on Uzbekistan was presented by the National Coordinator – the General Prosecutor’s Office of Uzbekistan. The information was studied by the monitoring team consisting of Mr. Bogdan Shapka (EUAM Ukraine), Ms. Ines Kuske (Latvia), Ms. Marina Tsapok (OECD Secretariat) and Ms. Antonina Prudko (OECD Secretariat). The progress update was discussed and adopted at the plenary meeting of the OECD Istanbul Anti-Corruption Action Plan on September 13, 2017. Since the previous progress update, plenary noted progress in 21 out of 23 recommendations, including significant progress in relation to 6 recommendations, and lack of progress in relation to 2 recommendations.

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Rating of Compliance</th>
<th>Rating of Compliance</th>
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<tbody>
<tr>
<td>Recommendation 1. Political Will to Fight Corruption and Anti-Corruption Policy</td>
<td>Significant progress</td>
<td>Significant progress</td>
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<tr>
<td>Recommendation 2. Corruption Surveys</td>
<td>Progress</td>
<td>Progress</td>
</tr>
<tr>
<td>Recommendation 3. Anti-Corruption Education and Awareness Raising, Public Participation</td>
<td>Significant progress</td>
<td>Significant progress</td>
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<td>Recommendation 4. Specialized Anti-Corruption Policy and</td>
<td>Progress</td>
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<td>Recommendation 5.</td>
<td>Offences and Elements of the Offence</td>
<td>Progress</td>
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<td>Recommendation 6.</td>
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<td>Recommendation 8.</td>
<td>Statistics on the Use of Confiscation</td>
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<td>Recovery of Property</td>
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<td>Recommendation 10.</td>
<td>Immunities</td>
<td>Lack of Progress, Progress</td>
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<td>Recommendation 11.</td>
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<td>Progress, Significant progress</td>
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<tr>
<td>Recommendation 12.</td>
<td>Investigation and Criminal Prosecution of Corruption – Operational Investigative Activities</td>
<td>Significant progress, Lack of Progress</td>
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<tr>
<td>Recommendation 13.</td>
<td>Investigation and Prosecution of Corruption</td>
<td>Progress</td>
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<td>Recommendation 16.</td>
<td>Administrative Procedures</td>
<td>Significant progress, Progress</td>
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<td>Progress, Significant progress</td>
</tr>
<tr>
<td>Recommendation 23.</td>
<td>Business Integrity</td>
<td>Progress, Significant progress</td>
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</tbody>
</table>
Note:

**Significant progress** - important practical measures were taken by the country to adequately address many elements of the recommendation (more than a half). This can involve the adoption and/or enforcement of an important law.

**Progress** - some practical measures were taken towards the implementation of the recommendation. For example, drafts of laws that have been at least approved by the government and submitted to the parliament would constitute "progress" for the assessment of Progress Updates.

**Lack of progress** - measures described above to implement recommendations were not taken.

Recommendations, that appear to be fully addressed can be closed for the progress update procedure and further evaluated only as a part of the monitoring procedure.

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**PROGRESS UPDATE ON RECOMMENDATIONS**

**Pillar I. Anti-Corruption Policy**

**Recommendation 1. Political Will to Fight Corruption and Anti-Corruption Policy**

<table>
<thead>
<tr>
<th>Determine the basics of anti-corruption policies in Uzbekistan, including its objectives and guidelines, as well as the implementation mechanism, clearly reflecting the results of studies and reports involving key government agencies, the civil society and academia, and to update them regularly.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop and adopt on a regular basis national plans to prevent and combat corruption in state authorities and institutions, make them public and provide their active implementation.</td>
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<td>Encourage the development and implementation of effective anti-corruption measures at the level of local state authorities and institutions, especially at those with the highest risk of corruption.</td>
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<tr>
<td>Monitor the implementation of anti-corruption measures and their impact.</td>
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<tr>
<td>Ensure public availability of regular reports on anti-corruption activities in Uzbekistan and their results.</td>
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**17th ACN Plenary Meeting, September 2016**

**Government report:**

On January 16, 2016, the Government approved the Comprehensive Action Plan for the Implementation of Anti-Corruption Measures for 2016-2017 (hereinafter - Comprehensive Plan), which defines the main areas of anti-corruption at the national level and defines the mechanism for their implementation, deadlines and executors. The Comprehensive Plan is based on the results of studies and reports involving key government agencies, civil society and academia.

The General Prosecutor's Office of the Republic of Uzbekistan, as a working body of the commission, regularly monitors the implementation of the Comprehensive Plan, based on the methodology approved by the leadership of the Prosecutor General's Office on October 30, 2015. The effectiveness of anti-corruption measures is determined and the rating of effectiveness of anti-corruption activities of state bodies is displayed. Ministries and departments that receive the
lowest rating are subject to intensified monitoring. Based on monitoring results, recommendations and proposals are being prepared to improve the effectiveness of anti-corruption measures. Every six months the Interagency Working Group (hereinafter - IAWG) conducts an analysis of the implementation of anti-corruption activities at the public authorities, bodies of state administration and local state authorities.

As a result, public availability of regular reports on anti-corruption activities in Uzbekistan and their results is ensured. Thus, the results of the IAWG meeting were published in electronic media, numerous meetings were held to highlight the results of monitoring. In the framework of implementation of the point 12 of the Comprehensive Plan, all public authorities and bodies of state administration of the Republic developed and approved sectoral plans for fighting corruption. Following the results of 2015, extended meetings of the commissions of corruption offences were held and the results of execution of departmental plans were discussed.

**Assessment of Progress – 17th Plenary Meeting: SIGNIFICANT PROGRESS**

According to the information provided, the Government approved a new Comprehensive Action Plan for the implementation of Anti-Corruption Measures for 2016-2017, which in itself is a significant positive step.

In addition, there is information that the Prosecutor General's office has adopted and applies the mechanism to monitor the implementation of the plan, as well as all republican ministries and departments developed and approved sectoral anti-corruption plans.

It is also stated that each semester the Interagency Working Group analyzes the implementation of anti-corruption measures at the level of public authorities, bodies of state administration and local state authorities.

**18th ACN Plenary Meeting, September 2017**

**Government report:**

On October 5, 2016 the Decree of the President of the Republic of Uzbekistan No. УП-4848¹ was adopted, which envisages the development of a draft law “On Combating Corruption”, as well as a number of laws regulating social relations in this sphere («On Public Service», «On Public Procurement», etc.).

At the initiative of the President, the draft law of the Republic of Uzbekistan "On Combating Corruption" was introduced into the Parliament of the country, which was adopted on January 4, 2017. The law determines legislative framework of the country's anti-corruption policy and consists of 6 chapters and 34 articles.

The goal is the comprehensive regulation of legal relations in the sphere of prevention and counteraction of corruption.

The main directions - improving the effectiveness of anti-corruption measures of the state bodies, organizations and civil society institutions, preventing corruption in all spheres of public life, creating in the society an atmosphere of intolerance to all manifestations of corruption by raising the legal awareness and legal culture of citizens.

The law establishes the main principles and directions of the state anti-corruption policy, provides a system of authorized bodies, determines mechanisms and discloses the participation of citizens' self-government bodies, civil society institutions, mass media and citizens, as well as international

cooperation in this field.

In pursuance of this law, the President the Republic of Uzbekistan adopted two Regulations - "On Measures to Implement the Provisions of the Law of the Republic of Uzbekistan "On Combating Corruption" (No. ПП-2752 of February 2, 2017) and "On Measures for Further Improvement of the System of Crime Prevention and Combating Crime" (No. ПП-2833 of March 14, 2017). Both regulations have been adopted with a view to creating an effective system for coordinating activities for the crime prevention and combating crime, introducing modern organizational and legal mechanisms for prevention and suppression of law violations.

On February 7, 2017 the Decree of the President of the Republic of Uzbekistan approved the Actions Strategy on Five Priority Directions of Development of the Republic of Uzbekistan in 2017-2021 and the State Program on Implementation of the Actions Strategy in the "Year of Dialogue with the People and Human Interests" (№ УП-4947). State Program on Implementation of the Actions Strategy in the "Year of Dialogue with the People and Human Interests" also provides for the preparation and adoption of laws "On Administrative Procedures" and "On Public Control", additional measures for combating corruption, including preparation of proposals on amendments and additions to the current legislation in connection with the adoption of the Law “On Combating Corruption”.

The Resolution of the President (No. ПП-2752 of February 2, 2017) approved the State Anti-Corruption Program for 2017-2018 (hereinafter – State Program), which is the key policy instrument for the prevention and combating corruption. Representatives of all public authorities and bodies of state administration, as well as civil society institutions, academia, and the business community took an active part in the drafting of the State Program.


The State Program provides for implementation of the 51 anti-corruption measures in 5 areas. It is published in the National Database of Legislation of the Republic of Uzbekistan, the active strict compliance with its provisions is being monitored.

Within the framework of the implementation of point 23 of the State Anti-Corruption Program and the point 12 of the Comprehensive Plan, public authorities and bodies of state administration are supposed to implement measures to prevent corruption based on a systematic analysis of their activities, identify areas and areas prone to corruption risks, take effective measures to prevent corruption offences. Thus, departmental and sectoral anti-corruption plans have been developed.
and approved in all republican ministries and departments.

Public authorities and bodies of state administration adopted departmental plans, more than 60 ministries and agencies submitted them to the Republican Anti-Corruption Interagency Commission (RIC) and its Expert Group for analysis. Ministries and agencies published them in special "Anti-Corruption" sections on their official websites.

At the end of 2016, extended meetings of departmental anti-corruption commissions were held and the results of execution of departmental plans were discussed. Regular information is heard on the implementation of effective anti-corruption measures at the level of the local state authorities and institutions, especially with the highest risk of corruption. For example, at the second meeting, a critical discussion took place on the implementation of anti-corruption measures by the leadership of ministries and departments such as the Ministry of National Education, the Ministry of Higher and Secondary Special Education, the Ministry of Emergency Situations and the Ministry of Health, which had deficiencies and omissions in their activities.

The Prosecutor General’s Office of the Republic of Uzbekistan regularly monitors the implementation of the State Program and the Comprehensive Plan for 2016-2017, determines the effectiveness of anti-corruption measures and sets out the effectiveness rating of anti-corruption activities of state bodies. The ministries and agencies receiving the lowest rating are subject to more tightened monitoring.

For example, at the first meeting of the Republican Interagency Commission on March 30, 2017, information was presented on the results of the monitoring on the execution of the Comprehensive Plan by ministries and departments, and the ratings of the effectiveness of anti-corruption measures in 2016 were exposed.

The State Program (point 47) provides for further improvement of the Methodology for monitoring the implementation of anti-corruption measures, assessing the effectiveness of organizational, practical and legal mechanisms in this area.

On June 30, 2017, the Republican Interagency Commission approved an improved Methodology for monitoring the implementation of anti-corruption measures, assessing the effectiveness of organizational, practical and legal mechanisms in this area.

The Republican Anti-Corruption Interagency Commission organizes, supervises and coordinates the monitoring. The Expert Group collects the submitted documents, summarizes, analyzes, evaluates and determines the rating, as well as prepares progress updates and final reports and submits them to the Commission.

Public availability of regular reports on anti-corruption activities in Uzbekistan and their results is provided. Thus, the outcome of the RIC was published in electronic media, including on the official website of the Prosecutor General’s Office, numerous meetings were held to highlight the monitoring results.

Assessment of Progress - 18th Plenary Meeting: SIGNIFICANT PROGRESS

Firstly, it should be noted that the Law “On Combating Corruption”, which determines the legislative foundations of the country’s anti-corruption policy, has been adopted.

No less significant is the approval of the new State Anti-Corruption Program for 2017-2018.
developed in collaboration with civil society institutions, academia and the business world, as well as the development and approval of departmental and sectoral plans for combating corruption in all of the Republic’s ministries and departments.

According to the information provided, the improved methodology for monitoring the implementation of anti-corruption measures and assessing the effectiveness of organizational, practical and legal mechanisms in this area was also approved. The Republican Anti-Corruption Interagency Commission (RIC) is responsible for the organization, supervision and co-ordination of the monitoring, with the assistance of the Expert Group in charge of collecting the submitted documents, summarizing, analyzing, evaluating and determining the rating, preparing progress updates and final reports, and submitting them to the Commission.

The results of the monitoring are made public through specially organized meetings, publications in electronic media and on the official website of the Prosecutor General's Office. The results of the monitoring are made public through specially organized meetings, publications in electronic media and on the official website of the Prosecutor General's Office. Plans by the Republican Interagency Commission to prepare a graphic report are also welcomed, which is also due to be published in English in the future.

Recommendation 2. Corruption Surveys

Regularly conduct public opinion surveys, sociological and scientific research studies on the extent and patterns of corruption.

Ensure publication, including on the Internet, of the results of public opinion surveys, as well as the sociological and scientific research studies that assess levels and trends in corruption.

17th ACN Plenary Meeting, September 2016

Government report:

The Higher Attestation Commission together with the leading scientific institutions (Institute for Monitoring Current Legislation, Academy of Public Administration, Tashkent State Law University, Institute for Strategic and Interregional Studies, Research Center under the Supreme Court, Higher Education Courses under the Prosecutor General's Office, Academy of the Ministry of Internal Affairs) in October 2015 developed and approved the "Schedule of Research for the Causes and Conditions of Corruption" (Order of the Higher Attestation Commission of the Republic of Uzbekistan No. 47 of June 24, 2015). The schedule includes 31 research works on various aspects of fighting corruption, including 27 scientific studies (including the preparation of 12 doctoral dissertations).

Regular surveys of public opinion, sociological and scientific research on the spread of corruption are conducted.

For example, the Centre for Public Opinion Surveys (CPOS) “Izhtimoy Fikr” (“Public Opinion”) conducted a public opinion survey on March 14-22, 2016 on the effectiveness of anti-corruption measures, citizens' attitude to corruption and the fight against corruption crimes conducted in the country on the topic "Fighting corruption in the mirror of public opinion”.

The research is also carried out at the departmental level.

Thus, the State Customs Committee conducted anonymous surveys among employees of customs posts, citizens crossing the customs border and business entities, during which 1,495 respondents were interviewed (425 employees, 312 business entities, 758 citizens), which identified areas most
prone to corruption, identified the reasons for its occurrence, and worked out measures to improve anti-corruption measures.

Similarly, the Ministry of National Education, the Ministry of Finance, the State Tax Committee, the State Statistics Committee and other agencies also conducted specialized studies aimed at identifying the causes and conditions of corruption in various sectors and spheres of public life.

In July-August 2016, CPOS “Izhtimoy Fikr” conducted a study on "Public opinion on combating corruption and bribery in the field of education" among 3,025 students and teachers of 14 lyceums and 97 colleges throughout the country.

Public opinion polls and sociological surveys are also conducted by non-government non-profit organizations (NGO) and other institutions of civil society.

So, the Independent Institute for Monitoring of the Civil Society (IIMCS) in April-May 2016 conducted a study aimed at identifying the causes and conditions of corruption in higher educational establishments, including monitoring activities in 64 higher educational institutions of the Republic, organized interviews and focus work-groups involving more than 120 experts with practical experience in the higher education system, about 100 parents of students, more than 150 teachers and 200 students. In addition, it was conducted a sociological survey among 634 students and 307 teachers of the country’s universities.

In addition, the Chamber of Commerce and Industry (CCI) within the framework of interaction between the state and business sector jointly with the Prosecutor General's Office of the Republic of Uzbekistan in 2015-2016 conducted a sociological survey among 1,388 business entities regarding the identification of the main factors impeding the implementation of entrepreneurial activities, existing bureaucratic barriers and obstacles, including the extent of corruption in the business sector.

Institute for Strategic and Interregional Studies in March – April 2016, conducted an analytical study of official websites of the local state authorities and institutions (the Government of Karakalpakstan, khokimiyats of the provinces and the city of Tashkent) to assess the effectiveness of the implementation of the law of the Republic of Uzbekistan "On the Transparency of the Activities of Bodies of State Power and Administration ", which prepared the analytical report "On Activities of Official Web Resources of the Local State Authorities to Ensure the Rights of Citizens to Information".

Public opinion research results are communicated to the general public.

For example, the results of the study by CPOS “Izhtimoy Fikr” of public opinion are published in the weekly "Asvir", the magazine "Public opinion. Human Rights". The Chamber of Commerce and Industry published the results of the study on its website, etc.

Assessment of Progress – 17th Plenary Meeting: PROGRESS

A number of scientific studies of the causes and conditions of corruption are planned, as well as examples of sociological surveys on corruption-related topics, both at the national and departmental level.

18th ACN Plenary Meeting, September 2017

Government report:

Since 2015, the leading scientific institutions (the Higher Attestation Commission, Institute for Monitoring Current Legislation, Academy of Public Administration, Tashkent State Law University, Institute for Strategic and Interregional Studies, the Research Center under the Supreme Court, Higher Education Courses under of the Prosecutor General’s Office, the Academy of the Ministry of Internal Affairs) have been implementing the Schedule of Research for the Causes and Conditions

Regular surveys of public opinion, sociological and scientific research on the levels and trends in corruption are being conducted.

So, CPOS "Izhtimoyi Fikr" in August 2016, conducted a public opinion survey on the topic "Fighting Corruption in the Mirror of Public Opinion" on the effectiveness of anti-corruption measures, citizens' attitude to corruption and the fight against corruption crimes conducted in the country. From March 30 to April 9, 2017, the center also conducted a public opinion poll on the topic "Fighting Corruption in the Mirror of Public Opinion", with a view to examining public opinion about corruption, revealing citizens' attitude to anti-corruption measures implemented in accordance with the Regulation of the President No. ПП-2752 of February 2, 2017 and the State Program.

Studies are also organized at the departmental level. For example, the State Statistics Committee on December 20-30, 2016, conducted the second stage of anonymous surveys in the form "Questionnaire on combating corruption in state statistics bodies" through the official website. The goal is to identify cases of corruption in the system of statistical bodies and, based on the results of the survey, to find ways to reduce corruption.

In the survey participated a total of 1,359 respondents of the Republic, of which 38.8% are business entities, 6.5% - representatives of NGOs, 8.9% - students and 45.8% - other respondents, an average of 130 respondents per day. As a result of full coverage of all regions of the country, information was received on the activities of all territorial statistical offices, as well as district and city departments of statistics. Based on the results of the survey, the State Statistics Committee conducted an analysis of the information received, the situation of corruption in the state statistics bodies, their frequency and reasons were carefully studied.

On March 27-29, 2017, in the archival institutions of the territorial administration for archival affairs of the Namangan region, surveys were conducted in the form of surveys among citizens who applied to the archives. The number of survey participants was more than 1,000 people. From May 29 to June 1, 2017, similar studies were carried out in the archive offices of the territorial department for archival affairs of the Kashkadarya and Surkhandarya provinces. Based on the results of the study, it was established that archival institutions had undertaken unsatisfactory anti-corruption measures, and conditions for improving the provision of archival services had not been fully created. Disciplinary measures were taken against those responsible.

Similarly, the Ministry of National Education, the Ministry of Higher and Secondary Special Education, the State Tax Committee and other agencies also conducted specialized studies aimed at identifying the causes and conditions of corruption in various sectors and spheres of public life.

Public opinion polls and sociological surveys are also conducted by NGOs and other institutions of civil society. For example, in the third quarter of 2016, the Independent Institute for Monitoring of the Civil Society (IIMCS) conducted a study aimed at identifying the causes and conditions of corruption and other offences in the system of general secondary education in Uzbekistan, monitoring activities in about 100 schools throughout the country, interviews and focus groups were organized with the participation of more than 150 experts with practical experience in the system of higher education, about 100 parents of students, as well as analysis of the content of 172 printed media for 2014-2016.

In the fourth quarter of 2016, a specialized study was also conducted aimed at studying the state, causes and conditions of corruption and formalism in the system of secondary specialized and vocational education in Uzbekistan. In the course of the study, more than 100 specialized secondary educational institutions were monitored throughout the country, as well as the content of print media, including interviewing more than 150 experts with practical experience in the system, about 150 parents of lyceum and college students, more than 200 teachers and 400
students throughout the country.

In addition, CCI within the framework of interaction between the state and business jointly with the Prosecutor General’s Office of the Republic of Uzbekistan conducted a sociological survey among the 5,581 business entities (an average of 400 entrepreneurs in each region) during 2016. The goal was to identify the main factors hampering the implementation of entrepreneurial activities, existing bureaucratic barriers and obstacles, including the extent of corruption in the business sphere. The Chamber of Commerce and Industry in June 2017 prepared and submitted to the Republican Anti-Corruption Interagency Commission an analytical report on the results of the survey.

Public opinion research results are communicated to the general public.

For example, the results of the study of CPOS "Izhtimoyi Fikr" of public opinion were published in the weekly "Tasvir" (No. 6 of February 11, 2017), the newspaper "Khalk Suzi" (No. 119 of June 26, 2017), "Narodnoe Slovo" (No. 119 of June 26, 2017)\(^1\), on the websites\(^11\).

The results of the survey conducted by the State Statistics Committee were published on February 8 this year\(^12\) on the official website. The results of the survey of the Agency "Uzarhiv" are also published on the official website\(^13\).

### Assessment of Progress - 18th Plenary Meeting: PROGRESS

Uzbekistan demonstrated consistency in continuing the scientific research planned earlier on the causes and conditions of corruption, as well as conducting public opinion surveys and sociological research, including by civil society institutions.

At the same time, the political commitment to supporting and stimulating research in the field of combating corruption (Article 30 of the Law "On Combating Corruption", point 44 of the State Anti-Corruption Program for 2017-2018) deserves obvious attention.

According to the Government, the results of sociological research are made public and disseminated through their publication, including on the Internet, and on departmental web pages.

### Recommendation 3. Anti-Corruption Education and Awareness Raising, Public Participation

#### Conduct measures on anti-corruption education and training, including through the set of measures on legal awareness and legal education provided in the Comprehensive Plan.

Develop and implement in institutions of secondary, secondary specialized, professional and higher education training programs on anti-corruption topics, provide a common methodological support in the development of such programs and financial support for their implementation.

The awareness building and legal education activities should reflect the issues of rights of citizens, especially young people, in their relations with public authorities; provide for a more extensive discussion of the laws and communicate the essence of the laws to the citizens.

More active involvement of the civil society in the collaboration with public authorities in the...
prevention of corruption.

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**Government report:**

Activities on anti-corruption education are carried out on the basis of the Comprehensive Plan of Measures for bringing to the general public the essence and significance of legislative acts and measures taken by state authorities in the anti-corruption sphere for 2016-2017, developed by the Ministry of Justice and harmonized with all ministries and departments.

In addition, according to the point 7 of the Comprehensive Action Plan for the Implementation of Anti-Corruption Measures for 2016-2017, relevant anti-corruption education and training are conducted by each ministry and department within the framework of the adopted departmental anti-corruption plans, involving representatives of the General Prosecutor's Office and the Ministry of Justice as consultants.

For example, the Ministry of Finance, in the framework of the signed Cooperation Agreements with the National Association of Accountants and Auditors, as well as the Chamber of Commerce and Industry, held more than 200 events on anti-corruption propaganda, covering all provinces of the country.

The National Association of Non-Governmental Non-Profit Organizations of Uzbekistan held a discussion on cooperation between state statistics bodies and non-governmental non-profit organizations in the field of fighting corruption.

Only the judicial authorities of the Republic held 1,813 measures to prevent corruption among the population, including youth, representatives of civil society and the media, during which the rights of citizens, especially young people, were explained in relations with public authorities and state institutions. These events were attended by more than 65 thousand people, including 37 thousand were young people.

Civil society is actively involved in the promotion of public authorities in the prevention of corruption, agreements (Memorandums) of public authorities and state institutions with civil society institutions are concluded and plans are being made to conduct joint anti-corruption measures.

So, within the framework of the social partnership, the General Prosecutor's Office, the Ministry of Higher Education, the Ministry of Culture and Sports, Tashkent State Law University in conjunction with the “Kamolot” Youth Movement and the Office of the OSCE Project Coordinator held in January-August, 2016 the 1st and 2nd stages of the Republican Contest of Creative Works on Corruption Prevention among students of colleges (lyceums) and higher educational institutions of the Republic (best poster, best essay, best script for audio, best script for video).

Since January 2016, the General Prosecutor's Office implements a series of events in the ministries and departments on the theme "Corruption - a Threat to National Security". Such activities were conducted in the Ministry of Health (April 6, 2016), the Ministry of National Education (April 19, 2016), the Ministry of Higher and Secondary Special Education (April 23, 2016), Central Bank (May 18, 2016), National Broadcasting Company (March 12, 2016), Uzbek Agency for Automobile and River Transport (February 29, 2016), etc. All events were covered on the Internet.

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National Broadcasting Company (NBC) together with the General Prosecutor’s Office prepared social videos on prevention of corruption in higher education and public service. Rollers are shown regularly on the central TV channels. At the same time, 107 cycle of TV and radio broadcasts devoted to the prevention of corruption, reaching a wide audience of viewers and radio listeners.

Anti-corruption topics are being introduced in institutions of secondary, secondary specialized, professional and higher education.

For example, in May 2016, a special course on the topic “Corruption – a Threat to Security” consisting of 2 hours lectures and 2 practical classes was introduced on the basis of the model program approved on the subject "Theory of building a democratic society in Uzbekistan" and the working program for students of the 4th courses of higher educational institutions.

Similar courses were implemented for students of colleges and lyceums of the Republic.

Higher Military Customs Institute of the State Customs Committee of the Republic of Uzbekistan within the framework of implementation of anti-corruption training of HMCI students made relevant changes to the curriculum for 2015-2016 academic year approved by the departmental order of the State Customs Committee No. 121ф of August 14, 2015. According to them, special training programs on anti-corruption education have been introduced - "Corruption: Causes, Manifestations, Counteraction" for full-time students and "Combating Corruption and Crime in the Customs Bodies" for students of retraining and advanced training courses.

Special courses on countering corruption among civil servants in the course of professional development have been introduced (point 5 of the Comprehensive Plan). Relevant centers since January 2016 have prepared training programs and materials that are implemented in the educational process. For example, in the Center for the Development of Professional Skills of Lawyers under the Ministry of Justice of the Republic of Uzbekistan, this special course covers 62 groups of 1,300 students, of which more than 120 candidates for judges. A separate special course on corruption prevention has been prepared for the judges.

The Training Center of the Ministry of Finance has included in the training programs a special course "Legal Mechanisms for Counteracting Corruption". Since the beginning of 2016 a special course was conducted for 73 groups of 927 students of financial, treasury, control and audit, pension administrations, as well as financial and accounting employees of budget organizations (ministries and departments).

Similar courses have been introduced in other departments.

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Anti-Corruption education and awareness raising is an integral part of the Comprehensive Action Plan for the Implementation of the Anti-Corruption Measure for 2016-2017, which provides bringing to the general public the essence and significance of legislative acts, as well as the measures taken by public authorities in the sphere of counteracting corruption for 2016-2017. Anti-Corruption themes are being introduced into the structure of various training programs of educational institutions and programs to improve the skills of civil servants. Several examples to promote anti-corruption awareness activities are given, as well as some examples of involving civil society institutions in their conduct.

18th ACN Plenary Meeting, September 2017

Government report:

Carrying out of measures on anti-corruption education and awareness raising is stipulated in articles 16-18 of the Law "On Counteracting Corruption". In pursuance of the law, the second
section (points 11-19) of the State Program is devoted to the implementation of these measures. The "Plan of measures to increase the legal consciousness and legal culture of the population aimed at creating an intolerant attitude towards corruption for 2017-2018" (March 30, 2017) (point 11 of the State Program) was approved. At the same time, according to the points 13-16 of the State Program, a number of different measures are envisaged\(^\text{18}\). The Republican Interagency Commission approved 2 plans, a set of measures and network schedule.

According to the Resolution of the President No. ПП-2833\(^\text{19}\), weekly every Thursday is defined as "Day of Offences Prevention". During the days of corruption prevention anti-corruption education and training are conducted.

For example, from the beginning of 2017, from the side of the Ministry of Justice and the Ministry of Internal Affairs, “Mahalla” Charitable Foundation, “Nuroniy” Foundation and other organizations, more than 1,000 different meetings, seminars and round tables were held among the population, in order to increase the legal consciousness and legal culture of makhalla (Uzbek quarter) inhabitants. The Youth Union (formerly the “Kamolot” Public Youth Movement) held more than 3,400 events with the participation of more than half a million young people. The prosecution authorities conducted over 13,000 events to increase legal awareness among 200,000 entrepreneurs and farmers, government officials providing services to entrepreneurs. In April-May, 2017, the financial authorities carried out over 300 explanatory measures to raise awareness and legal consciousness of employees of budgetary organizations in anti-corruption issues.

The Ministry of Higher and Secondary Special Education and higher education institutions conducted more than 500 seminars and meetings with teachers and students to explain the essence and significance of the Law "On Combating Corruption".

In the first half of 2017, the Ministry of National Education hold more than 10,000 legal awareness events, including 1,500 lectures, 3,000 round tables, and 850 seminars. Explanatory work is conducted among students and teachers. Since April 2017 the regular contest "Youth Against Corruption" has been held among colleges, lyceums and universities of the whole Republic. Until August 2017 the competition was held in 7 provinces of 82 districts with the participation of 8,100 students. Within the framework of these events, a competition of essays on such topics as "Crime and corruption - the most negative acts leading society to ruin", "Features, signs, objective and subjective causes of corruption crimes", "Types of responsibility for corruption crimes", etc.

A network schedule of training seminars, conferences, "round tables" and other activities on combating corruption involving employees of state bodies, business entities and other target groups is being implemented (approved by RIC on March 30, 2017). For example, the Department at the General Prosecutor's Office and the Central Bank in May 2017 held seminars on "Challenges of counteraction to legalization of criminal incomes, tax and currency crimes" and a press conference on "Countering and preventing anti-corruption risks and threats in the banking sector."

\(^{18}\) Development and implementation are envisaged:

- Action plan to highlight the results of anti-corruption activities on television, radio, print and electronic media, including through the regular organization of thematic programs, interviews, debates, press conferences and other events;
- networking of training seminars, conferences, roundtables and other activities on combating corruption involving civil servants, business entities and other target groups;
- a complex of measures to increase the legal literacy and legal knowledge of public officials and employees of organizations in the field of combating corruption.

Preparation and wide distribution of information materials, including the creation of thematic videos, publication of printed materials (posters, brochures, booklets) aimed at clarifying the essence and significance of anti-corruption legislation.

The Republican Interagency Commission and the General Prosecutor's Office prepared information materials, including thematic videos, printed materials (posters, brochures, booklets) aimed at explaining the essence and significance of anti-corruption legislation. For example, the General Prosecutor's Office and National Association of Electronic Mass Media (NAEMM) of Uzbekistan prepared 1 social video. With the support of the OSCE 2 social videos, 15 posters and booklets have been prepared. Printed materials (posters, brochures, booklets) for explaining the essence and significance of anti-corruption legislation in the sphere of education and health have been transferred to the Ministry of National Education, the Ministry of Higher and Secondary Special Education and the Ministry of Health for distribution in educational and medical institutions. Printed materials are widely distributed among applicants and the public, banners are placed in densely populated places for public viewing.

Media products in the sphere of combating corruption have been prepared and broadcasted on television, radio, print and electronic media. A total of 204 television and radio programs were transmitted by the NAEMM, 138 TV reports - from the territorial television stations - NAEMM members, 971 various TV and radio news, reports, interviews, talk shows, programs, etc. - from NBC.

For 2016 and the first half of 2017, events organized in educational institutions in the field of legal awareness were highlighted in more than 10 reports in the news programs "Akhborot", "Davr", "Poytaht", "Bugun." In addition, topical issues of combating corruption in education were discussed on a talk show. Over 100 radio messages and interviews on counteracting corruption in the education system were broadcast via radio channels "Uzbekiston", "Yoshlar", "Toshkent" and "Mahalla".

In cooperation with the staff of “UzA”, “Turkiston-Press” and “Uzbekistan Today” news agencies 30 news reports have been prepared. About 20 materials of this kind were published at the pages of “Khalk Suzi”, “Narodnoye Slovo”, “Pravda Vostoka” and other central newspapers. More than 50 materials on legal awareness are posted on “ZiyoNet” information portal and other online publications.

Educational programs on anti-corruption topics have been developed and implemented in institutions of secondary, secondary specialized, professional and higher education. The Regulation of the Government of the Republic of Uzbekistan "On Approval of State Educational Standards for Secondary and Secondary Special, Vocational Education" No. 187 of April 6, 2017 was adopted.

On the implementation of the point 17 of the State Program, in particular, amendments and additions were made to state educational standards, it is envisaged to develop special training programs on legal education in the field of combating corruption, and further strengthen anti-corruption themes in the curricula of educational institutions of general secondary, secondary specialized and vocational education.

In the institutes of retraining and raising the level of professional skill of public education workers in the curricula of the refresher courses in September 2016, the anti-corruption theme was included in such training modules as "Legal Issues", "Effective Use of the Director's Fund in General Education Schools" and "Issues of Economics".

Since September 2016, the curriculum of the course "Constitutional foundations of building a civil society and a law-based democratic state" also includes a topic for schoolchildren and students of colleges and lyceums, which deals with issues of combating corruption.

The Republican Interagency Commission and the Higher Education Courses under the Prosecutor General's Office on June 20-22, 2017 held a seminar on training of 52 departmental coordinators, involving more than 20 leading specialists in various fields. The goal was to effectively organize

the activities of the members of the commission, various state bodies and organizations to implement the State Program, as well as raise awareness and responsibility of departmental coordinators. The event was covered by the central television and radio channels and the official website of the General Prosecutor's Office.

The Republican Interagency Commission on March 30, 2017 approved "Practical measures for training law enforcement officers and courts officials in the field of combating corruption."

During the first half of 2017, training courses were introduced on the basis of the Higher Studies Courses of the General Prosecutor's Office, the Academy of the Ministry of Internal Affairs, the Higher Military Customs Institute under the State Customs Committee, the Tax Academy under the State Tax Committee, the Center for the Development of Professional Skills of Lawyers under the Ministry of Justice and other educational institutions of ministries and departments, including practical and theoretical training sessions (modules) on anti-corruption topics for law enforcement officers and courts officials, as well as first-time employees (judges, young specialists and others).

Classes are held on such topics as "International legal framework and national legislation in the sphere of anti-corruption", "Legal anti-corruption expertise of draft normative and legal documents in the process of their adoption", "Timely detection of corruption offences, analysis, elimination of causes and conditions contributing to their commission".

For the representatives of the Faculty of "Initial Training, Retraining and Advanced Studies" of the Higher Military Customs Institute under the State Customs Committee, a special training program "Fighting Corruption" for 2017-2018 was developed. For example, on June 19-20, 2017, a special training course on the topic "Issues of combating crime and corruption in the customs bodies" was held, with the participation of representatives of the Higher School of Forecasting and Strategic Analysis, the Institute of the National Security Service, the Center for the Development of Professional Skills of Lawyers under the Ministry of Justice, and the heads of the Directorate of Internal Security of the State Customs Committee of the Republic of Uzbekistan. Thus, during the Higher Education Courses of the General Prosecutor's Office 421 participants were trained, in the Academy of the Ministry of Internal Affairs – 7,199, the Higher Military Customs Institute under the State Customs Committee - 538, the Tax Academy under the State Tax Committee – 1,578, the Center for the Development of Professional Skills of Lawyers under the Ministry of Justice – 1,153 attendees.

Since January 2017, the Training Center under the Ministry of Finance has continued training on a special course on "Legal Mechanisms for Counteracting Corruption" and approved training and thematic plans. For the first half of this year, 1,913 participants of various categories underwent further training in 73 groups on a special course on "Legal Mechanisms for Counteracting Corruption". Similar special courses were also introduced in other departments.

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Uzbekistan has demonstrated a consistent policy in matters of anti-corruption education and awareness raising. In particular, measures to increase legal consciousness and legal culture on, the issue of combating corruption, and the shaping of an intolerant attitude to corruption in society have been approved at the legislative level (articles 16-18 of the Law "On Combating Corruption", points 11-19 of the State Anti-Corruption Program for 2017-2018).

Particular attention should be paid to the approval of a separate Action Plan to increase the legal consciousness and legal culture of the population with a view to creating an intolerant attitude towards corruption in the society for 2017-2018 (the content and implementation of the

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measures provided for in this Plan should be studied in the framework of further monitoring).

In addition, the Government provided examples of activities conducted since the last progress update on legal propaganda, and the introduction of educational programs on anti-corruption topics in in institutions of secondary, secondary specialized, professional and higher education in Uzbekistan.

Also on a positive note, the implementation of anti-corruption education and training in the framework of the weekly "Day of Offences Prevention" should be noted.

In addition to the aforementioned, no additional information was provided on the implementation of the last part of the recommendation concerning the more active involvement of civil society in the collaboration with public authorities in the prevention of corruption.

Recommendation 4. Specialized Anti-Corruption Policy and Corruption Prevention Institutions

Ensure regular and efficient work of the interagency working group on promoting the improvement of organizational, practical and regulatory frameworks for countering corruption and report on its performance and the performance of its working bodies in the area of national anti-corruption policy.

Clearly establish the functions of the bodies responsible for the development and coordination of the national anti-corruption policy and for the prevention of corruption, and provide them with adequate resources.

17th ACN Plenary Meeting, September 2016

Government report:

In February 2016 the membership of the IAWG was updated on the basis of the candidatures of the heads (deputies) of public authorities and bodies of state administration. In addition, in order to optimize the work, coordinators at the expert level from 45 ministries and departments have been identified with the assignment of duties on coding and coordinating sectoral work within the monitoring framework.


An annual report on the results of anti-corruption activities in the Republic was prepared and its coverage was provided on the websites of state bodies, as well as proposals for improving the organizational, practical and regulatory framework for combating corruption.

Similar work continues this year.

The legislative basis for determining the functions of bodies responsible for the development and coordination of national anti-corruption policies and for the prevention of corruption is established by the Law "On Offences Prevention" (No. 3PY-371 of May 14, 2014).
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On the meeting at the beginning of the year of the Interagency Working Group Information on the promotion of improvement of organizational, practical and regulatory framework for combating corruption was presented, at which the results of monitoring the effectiveness of the realization of the Comprehensive Action Plan for the Implementation of Anti-corruption Measures for 2015, as well as the projects of the Comprehensive Plan of Practical Actions for the Implementation of Anti-corruption Measures for 2016-2017 and the Plan of Activities to be implemented under the new recommendations of the Istanbul Action Plan for 2016-2017 were discussed. It was also reported that the group every six months is carrying out an analysis of the implementation of anti-corruption measures.

The composition of the working group was updated and coordinators were identified at the expert level from 45 ministries and departments, with the assignment of duties on coding and coordinating sectoral work within the framework of monitoring the implementation of the Comprehensive Action Plan for the Implementation of Anti-Corruption Measures.

At the same time, no information was received about any changes in the definition of functions and resource support for anti-corruption bodies.

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Government report:

According to the Law "On Combating Corruption" (Article 8), it is envisaged to create a Republican Anti-Corruption Interagency Commission. The order of formation and activity of the Interagency Commission is determined by the President of the Republic of Uzbekistan. The Republican Anti-Corruption Interagency Commission (hereinafter - RIC), chaired by the General Prosecutor’s Office, was established by the Decree of the President of the Republic of Uzbekistan “On Measures to Implement the Provisions of the Law of the Republic of Uzbekistan "On Combating Corruption" (No. ПП-2752 of February 2, 2017)22. In its structure, along with leaders and experts of public authorities and bodies of state administration, representatives of civil society institutes and scientific circles (a total of 43 members) were also included. The law defines the goals of the RIC23.

The functions of the working body of the Commission are entrusted to the General Prosecutor’s Office, in particular the Department for Combating Organized Crime and Corruption. Decisions of the Republican Interagency Commission on issues within its competence are binding for all public authorities and state administration, public associations and other organizations.

On March 30, 2017 at the RIC meeting, territorial anti-corruption interagency commissions were set up, which were headed by the prosecutors of the Republic of Karakalpakstan, provinces and the city of Tashkent. An Expert Group was created under the RIC. The purpose of the Expert Group is to compile and analyze the information on the implementation of anti-corruption measures by all public authorities and bodies of state administration, public associations and other organizations, as well as organizational, practical and legal mechanisms in this field. Departmental coordinators were identified at the expert level from 64 ministries and

23 http://lex.uz/pages/getpage.aspx?act_id=3088013 The main objectives of the Commission are: to organize the 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 the development and implementation of measures to increase the legal consciousness and legal culture of the population, the formation of an intolerant attitude towards corruption in the society; ensuring the effectiveness of measures to prevent, detect, suppress corruption offences, eliminate their consequences, as well as the causes and conditions conducive to corruption; collection and analysis of information on the status and trends of corruption; monitoring implementation of anti-corruption measures, assessing the effectiveness of existing organizational, practical and legal mechanisms in this area; preparation of proposals on improving anti-corruption legislation and improving work in this area; coordination of activities of territorial anti-corruption interagency commissions.
departments, with the assignment of duties on coding and coordinating sectoral work within the monitoring framework. Two meetings of the Republican Anti-Corruption Interagency Commission (March 30, June 30, 2017) were held. Information on the results of its work and its working bodies in the field of national anti-corruption policy is posted on the official website of the General Prosecutor's Office.

The Law "On Counteracting Corruption" establishes the functions of bodies responsible for developing and coordinating national anti-corruption policies and for preventing corruption. In particular, Article 7 defines bodies responsible for the development and implementation of specific measures to prevent corruption - General Prosecutor's Office, Ministry of Internal Affairs, National Security Service, Ministry of Justice, Department at the General Prosecutor's Office and other public authorities in accordance with the law.

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The Republican Anti-Corruption Interagency Commission (RIC) has been up and running in Uzbekistan since February of this year. It includes representatives of state bodies, civil society and the academic community (total 43 members). According to the information provided, the RIC has already met twice, information on the results of which has been posted on the Internet (on the pages of the National News Agency and the General Prosecutor's Office). The creation of anti-corruption interagency commissions for combating corruption (in the Republic of Karakalpakstan, provinces and the city of Tashkent) should also be noted, along with the identification of departmental coordinators at the expert level (from 64 ministries and departments).

The new Law "On Combating Corruption" not only contains a list of state bodies engaged in anti-corruption activities (Article 7), but also clearly defines their individual powers in the field of combating corruption, including the interagency commissions for combating corruption (Articles 8-13).

At the same time, no additional information has been provided regarding the provision of resources to anti-corruption bodies. In particular, the issue of providing additional resources to the General Prosecutor's Office remains unresolved, such as to the working body of the RIC, responsible, in particular, for the organization and technical support of its activities. Also, Uzbekistan should consider the possibility of establishing a permanently paid secretariat for the RIC.

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**Pillar II. Criminalization of Corruption**

**Recommendation 5. Offences and Elements of the Offence**

Amend the Criminal Code to ensure the following:

- subject of a bribery of an official of any entity, institution, organization, both in public and private sector, should be recognized as any undue advantages which include both tangible and intangible benefits;

- definition of a bribery should include providing / obtaining undue advantages not only for the official himself/herself, but also “for another person or entity” regardless the interests of a briber as required by the provisions of articles 15 and 16 of the UNCAC;

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- promise and offer of a bribe, as well as incitement to bribery by an official of any organization, entity or institution, both in public and private sector, are criminalized in accordance with the provisions of the UN Convention against Corruption;

- introduce efficient and effective civil, administrative or criminal liability of legal persons for participation in the corruption offences, in line with the UNCAC.

Consider amending the Criminal Code to ensure the following:

- “concealment”, “abuse of functions”, trading in influence, “illicit enrichment”, as defined by the UNCAC, are criminalized.

**18th ACN Plenary Meeting, September 2017**

**Government report:**

Article 3 of the Law of the Republic of Uzbekistan "On Combating Corruption" establishes the concept of corruption as the illegal use by a person of his official or official position with the aim of obtaining tangible or intangible benefits in the personal interests or in the interests of others, and also as an unlawful provision of such benefits. In addition, the responsibility for corruption offences of legal entities is fixed. Thus, according to Article 27 of the Law, legal entities are liable for committing corruption offences in accordance with the procedure established by law thus laying the foundations for making changes to the Criminal Code.

The State Program (point 45) provides for carrying out, before October 1, 2018, theoretical and applied research on the improvement of the legal framework for the liability of legal entities for the commission of corruption offences, following which proposals will be prepared.

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The government reported that Law of the Republic of Uzbekistan "On Combating Corruption" establishes the concept of corruption as "the illegal use by a person of his official or official position with the aim of obtaining tangible or intangible benefits in the personal interests or in the interests of others, and also as the unlawful provision of such benefits." Also, under this Law, legal entities are liable for committing corruption offences in accordance with the procedure established by law. Although the aforementioned changes have not been applied to the Criminal Code, the fact that they are included in the law "On Combating Corruption" indicates that the State has taken steps to implement the recommendation to the fullest.

Accordingly, the recommendation to introduce a number of amendments to the Criminal Code still applies.

**Recommendation 6. Training**

Encourage the training of academics in the field of international standards and best anti-corruption practices in order to contribute to an effective legislative process in terms of bringing anti-corruption legislation more in line with international standards.

**17th ACN Plenary Meeting, September 2016**

**Government report:**

Training events for representatives of the scientific community in the field of international
standards and best practices on anti-corruption are regularly organized and conducted.

For example, on March 15-17, 2016, an inter-regional training seminar was held at the Center for the Development of Professional Skills of Lawyers under the Ministry of Justice on the topic "Obtaining and using electronic evidence in the investigation and prosecution of criminal cases", with the participation of judges from Azerbaijan, Armenia, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan And Turkmenistan, as well as experts from Great Britain, the Netherlands, Norway, the Russian Federation, the United States of America.

Tashkent State Law University together with the branch of the International Non-Governmental Organization "Regional Dialogue", on May 25-26 this year, at a seminar on "Criminal and Criminal Procedural Legislation: Status and Prospects for Improvement", discussed issues of national legislation and foreign practice in the field of criminalization, illegal enrichment, bribery, return of assets.

In November 2015, Academy of Public Administration held a round table on the topic "Legal basis for reforming the civil service in the Republic of Uzbekistan" with the aim of developing proposals and recommendations on improving legislation regulating this area.

The Training Center of the Ministry of Finance jointly with the World Bank and UNDP on January 14-16, 2016, during the round table discussed the draft law of the Republic of Uzbekistan "On Public Procurement" and the draft normative legal act on further improvement and development of public procurement for 2016-2025 to bring it into more complete compliance with international standards. Representatives of the scientific community of Uzbekistan actively participate in the trainings of the OECD, OSCE, UNDP and other international organizations aimed at gaining knowledge on international standards and best anti-corruption practices in order to contribute to an effective legislative process in bringing the anti-corruption legislation more fully in line with international standards.

On August 18, 2016, with the participation of experts from Tashkent State Law University, Academy of Public Administration, University of World Economy and Diplomacy and other academic institutions, a training seminar on "Ethical Compliance is a Prerequisite for Effective Public Administration" was held, with the assistance of the OSCE, UNDP and with the participation of experts from Malaysia, the UNDP Ethics Office and others.

As part of the implementation of the Higher Attestation Commission schedule, 46 publications were published, 9 monographs, 6 brochures, 1 training manual and 2 analytical reports were prepared. Thematic 9 scientific-practical conferences, 12 round tables, 6 scientific seminars and 6 speeches aimed at studying international standards and best practices on combating corruption were held.

In total, during the reporting period, more than 30 events (seminars, trainings, conferences, round tables) took place.

26 http://www.dba.uz/ru/2-uncategorised/630-pravovye-osnovy-reformirovaniya-gosudarstvennoj-sluzhby-v-republike-uzbekistan
27 https://www.mf.uz/home/deyatelnost-ii/gosudarstvennye-zakupki.html
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Information is provided on the involvement of the scientific community representatives in various activities, within which individual international anti-corruption standards were highlighted and discussed.

18th ACN Plenary Meeting, September 2017

Government report:

State Program (point 41) provides for the implementation of practical measures for the training of law enforcement officers and court officials in the field of combating corruption. On March 30, 2017 the Commission approved "Practical measures for training law enforcement officers and courts officials in the field of combating corruption".

Training events for representatives of the scientific community in the sphere of international standards and best practices to counter corruption are being regularly organized and conducted.

So, in February 2017 in accordance with the international memorandum between the Riga Technical University and the Higher Military Customs Institute the associate professor Normunds Rudzitis from the Riga Technical University, held joint "online" sessions on the "Corruption Risk Management System" for teachers.

On May 23-25, 2016 teachers of Tashkent State Law University underwent further training within the framework of the "Implementing Transparency and Proper Governance: Latvian Experience for Uzbekistan (Riga, Latvia)" program.

On March 17, 2017, the Institute of Democracy and Human Rights jointly with the Prosecutor General's Office and the Regional Foundation named after F. Ebert organized an international round table on "Judicial and Legal Reform at the Present Stage. Approaches and Prospects. Experience of Uzbekistan and Germany".

Representatives of the scientific community took part in the seminars "Return of assets obtained as a result of corruption crimes" organized by UNODC together with the Prosecutor General's Office of Kyrgyzstan, the World Bank, OECD and OSCE (June 29-30, 2017, Issyk-Kul), and "Financial investigations and the return of stolen assets ", organized by the OSCE Program Office and the US Embassy in Kazakhstan (July 31 – August 1, 2017, Astana).

Participants of the personnel reserve for senior positions of the Higher Studies Courses of the General Prosecutor's Office studied foreign experience and carried out applied research on the topics "Organizational and Legal Mechanisms for Counteracting Corruption in the Republic of Uzbekistan", "Improving the Legal Basis for Public Service", "Improving Legal Regulation of Public Procurement". As a result, proposals for legislative initiatives have been prepared.

In the framework of the realization of the Higher Attestation Commission schedule, 19 publications, 3 analytical reports were prepared on the basis of fundamental, applied and dissertational studies, and a draft law "On Amendments and Additions to the Criminal Code of the Republic of Uzbekistan" was drafted and sent to the Oliy Majlis Legislative Chamber of the Republic of Uzbekistan. In addition, 3 scientific-practical conferences, 10 round tables and 5 scientific seminars were held. In total, more than 20 events (seminars, trainings, conferences, round tables) took place during the reporting period.

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28 The event was attended by senior officials from the General Prosecutor’s Office, the Ministry of Justice, the Ministry of Internal Affairs, the National Center for Human Rights, the Academy of Public Administration under the President of the Republic of Uzbekistan, legal scholars, an expert from the Federal Republic of Germany, representatives of the German embassy in Uzbekistan, as well as the mass media.
Assessment of Progress - 18th Plenary Meeting: PROGRESS

The State provided information on a number of educational activities conducted jointly with international organizations and partners in the field of combating corruption. The Government also provided information on the launch of a comprehensive educational program to train law enforcement officers and court officials in the field of combating corruption. Although these actions are not directly part of this recommendation, in the future they can also contribute to bringing anti-corruption legislation in line with international standards, since law enforcement officers and court officials are often involved in the law-making process.

Recommendation 7. Confiscation

Take measures to enable confiscation of proceeds of crime derived from the corruption-related offences in line with the international standards, including as follows:

- Provide for a legal definition of the term “confiscation”;
- Adopt provisions that enable confiscation in all situations of:
  - proceeds of crime that have been transformed or converted, in part or in full, into other property;
  - proceeds of crime that have been intermingled with property acquired from legitimate sources;
  - income or other benefits derived from proceeds of crime, from property into which such proceeds of crime have been transformed or converted or from property with which such proceeds of crime have been intermingled;
- Consider adopting a provision that requires an offender to demonstrate the lawful origin of the alleged proceeds of corruption offences or other property liable to confiscation.

18th ACN Plenary Meeting, September 2017

Government report:

The question of adopting a provision according to which the perpetrator of the crime is obliged to prove the lawful origin of the alleged proceeds of crime or other property subject to confiscation, was considered in the framework of an international practical seminar on "Criminal and criminal procedure legislation: State and Prospects for Improvement". May 25-26, 2016. Tashkent.

Assessment of Progress - 18th Plenary Meeting: PROGRESS

Within the framework of additional consultations, the Government provided the information that on 25 April 2016 amendments were made to the Law "On Counteracting the Legalization of Proceeds Derived from Criminal Activity and Financing of Terrorism", which defines proceeds derived from criminal activity as: "cash and other property received as a result of criminal activity, as well as any income or benefit derived from the use of said properties, and equally that have been transformed or converted, in part or in full, into other property, or intermingled with property acquired from legitimate sources."
It is important to note that this Law is not the fundamental legislation in the application of the confiscation regime, and corresponding changes to criminal and criminal procedural legislation have not been made. However, on the basis of information received from the State, it follows that the courts use the above definition in their decisions with regard to the application of confiscation.

**Recommendation 8. Statistics on the Use of Confiscation**

*Regularly collect and analyze statistical data on the use of confiscation in corruption cases and use these analyzes to improve legislation and practice.*

**17th ACN Plenary Meeting, September 2016**

**Government report:**

The Supreme Court of the Republic of Uzbekistan regularly collects and analyzes statistical data on the use of confiscation in corruption and other cases.

Analysis of statistical data on the use of confiscation in corruption cases allowed to substantiate proposals for improving legislation and practice.

Thus, the Law of Uzbekistan "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan"²⁹ No. 405 of April 25, 2016 amends the Criminal Procedure Code of the Republic of Uzbekistan, the Laws of the Republic of Uzbekistan "On Combating Terrorism", "On Counteracting the Legalization of Proceeds Derived from Criminal Activity and Financing of Terrorism", regarding the use of confiscation in corruption cases.

These innovations, legislatively enshrine the Department for Combating Tax, Currency Crimes and Legalization of Criminal Incomes at the General Prosecutor’s Office of the Republic of Uzbekistan and its territorial subdivisions, not only conducting operational investigative activities, but also regularly collecting and analyzing statistical data on relevant crimes.

However, in order to ensure full and comprehensive collection of data on the use of confiscation, the Judicial Statistics Division of the Supreme Court is developing a report form that will shortly be sent to the courts of general jurisdiction and will be updated quarterly from the 4th quarter of 2016.

**Assessment of Progress – 17th Plenary Meeting: PROGRESS**

Information is provided on the collection and analysis of statistical information on the use of confiscation in corruption cases carried out by the Supreme Court, which allowed the development of proposals for improving legislation in this area, in particular to ensure the adoption of the Law "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan" of April 25, 2016.

However, there is no clear information on the relationship between the analysis of statistics and the content of the new legislation. In addition, it is unclear whether the definition of the concept of "proceeds derived from criminal activity", which is provided for by this Law and a new edition of certain provisions of the Law "On Counteracting the Legalization of Proceeds Derived from Criminal Activity and Financing of Terrorism", is the basis for confiscating the assets listed in the

definition of the criminal process.

It is also reported about the work on the development of a new form of reporting on the application of confiscation.

The information provided indicates the presence of minor progress towards implementing this recommendation.

18th ACN Plenary Meeting, September 2017

**Government report:**

The Prosecutor General's Office and the Ministry of Internal Affairs regularly collect and analyze statistical data on the use of confiscation in corruption and other cases. For example, the Prosecutor General's Office in 2016 did a lot to ensure the rule of law, protect the rights and freedoms of citizens, legitimate interests of society and the state, prevent offences.

Reliable legal protection of business entities was one of the most important priorities in the activities of the prosecution authorities in the reporting year. More than 43,000 events were held to increase the legal knowledge of both entrepreneurs and public officials that provide services to entrepreneurs. During the surveillance activities, 19,752 violations of the rights of business entities were established, including 129 facts of unlawful interference in their activities, 54 facts of illegal inspections, 1,657 - adoption of illegal decisions, 657 - collection of excessive fees, 887 - violation of legislation when processing appeals of individuals and legal entities. According to these facts, appropriate measures of prosecutorial response were taken.

A certain work has been done on combating tax, currency crimes and legalization of criminal proceeds. Additional assessment of taxes and payments for the amount of 832.7 billion soms was ensured, 771 offences in the currency sphere were revealed.

The prosecuting authorities took measures to improve interagency cooperation in the field of combating crime, crime prevention, coordination of operational investigative activities.

Effective work of the electronic interaction system of the Center for Receiving Telephone Appeals at the General Prosecutor's Office with 34 ministries and departments is ensured. In 2016, the Center adopted 103,063 appeals, including 3,394 - from entrepreneurs. The prosecuting authorities in total examined 194,817 appeals, provided reception of 173,080 citizens.

Analysis of statistical data on the use of confiscation in corruption cases allowed to substantiate proposals for improving legislation and practice.

**Assessment of Progress - 18th Plenary Meeting: LACK OF PROGRESS**

The State provided general information about the fact that during the reporting period the Ministry of Internal Affairs regularly collects and analyses statistical data on the results of the investigation and prosecution of corruption. During additional consultation, the Government also provided the information that these data were analyzed in the preparation of a comprehensive report on the implementation of the State Program on Combating Corruption by the Republican Anti-Corruption Interagency Commission (RIC). The publication of this report on the RIC’s website is also planned, so that it can be made available to all interested parties.

However, despite the fact that the report contains a significant amount of data on anticorruption measures, including the value of property and assets returned to the state (under different legal procedures), there are no statistics on the use of confiscation in corruption cases. Accordingly, it is not possible to determine whether analysis of such statistics is used to improve

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Recommendation 9. Asset Recovery

- Take measures to enable direct recovery of property in accordance with the procedure provided for in Article 53 of the UNCAC, including:

  - measures to permit another State Party to initiate civil action in its courts to establish title to or ownership of property acquired through the commission of an offence established in accordance with the UNCAC,

  - measures as to permit domestic courts to order those who have committed offences established in accordance with the UNCAC to pay compensation or damages to another State Party that has been harmed by such offences,

  - measures to permit domestic courts or competent authorities, when having to decide on confiscation, to recognize another State Party’s claim as a legitimate owner of property acquired through the commission of an offence established in accordance with the UNCAC,

- Consider adopting provisions that enable confiscation of crime proceeds without a criminal conviction in cases where the offender cannot be prosecuted by reason of death, concealment or absence or in other appropriate cases;

- Take measures to enable the return and disposal of assets as it is established by Article 57 of the UNCAC.

17th ACN Plenary Meeting, September 2016

Government report:

In June 2016, the General Prosecutor's Office prepared a draft law “On Amendments and Additions to the Criminal Procedural Code of the Republic of Uzbekistan” with a view to adopting provisions allowing the confiscation of crime proceeds without sentencing in criminal proceedings in cases where the offender cannot be prosecuted by reason of death, concealment or absence or in other appropriate cases.

On July 4, 2016, a draft law was considered at a seminar "International Standards in the Sphere of Criminalization of Corruption", held at the Higher Education Courses under the Prosecutor General's Office.

Assessment of Progress – 17th Plenary Meeting: PROGRESS

Information is provided on the development of the draft law on the possibility of confiscating proceeds of crime without sentencing in criminal proceedings in cases where the offender cannot be prosecuted by reason of death, concealment or absence or in other appropriate cases.

Although this initiative is at a rather early stage, it allows to conclude about the presence of progress in implementing this part of the recommendation providing for consideration of the matter.

No information was provided on any steps to implement the remaining components of the recommendation.
### Government report:

The Ministry of Justice developed the draft Law of the Republic of Uzbekistan “On Amendments and Additions to Articles 284, 290, 333, 373 of the Code of Criminal Procedure” on consideration of the adoption of provisions permitting the confiscation of crime proceeds without sentencing in criminal proceedings in cases where the offender cannot be prosecuted by reason of death, concealment or absence or in other appropriate cases.

### Assessment of Progress - 18th Plenary Meeting: PROGRESS

The State provided information on the draft law on amendments and additions to the Code of Criminal Procedure of the Republic of Uzbekistan, which allows for the confiscation of the criminal proceeds without sentencing in criminal proceedings in cases where the offender cannot be prosecuted due to death, concealment or absence, or in other appropriate cases.

However, based on the results of the previous reporting period, the Government provided information on the draft law developed by the General Prosecutor’s Office on the same subject. From this it can be concluded that, both in the past and in this reporting period, these draft normative acts are at the initial stage of consideration. Accordingly, little progress has been made in implementing this part of the recommendation.

As for the remaining issues concerning this recommendation, no information is available on any actions concerning their implementation.

### Recommendation 10. Immunities

- **Adopt clear, simple and transparent procedure for depriving immunity of those categories of persons benefiting from immunity for which such procedure is not provided by law.**

- **Limit the categories of officials benefiting from immunity, as well as the inviolability framework, so that their immunity only applies to acts committed by them when performing their official duties.**

- **Provide clear regulations of possible investigative and/or criminal proceedings against persons benefiting from immunities before their immunity is deprived so that the immunities do not impede effective investigation and prosecution of corruption cases.**

### Government report:

Work is under way to improve legislation on the adoption of a simple, clear and transparent procedure for depriving immunity of those categories of persons benefiting from immunity for which such procedure is not provided by law.

The issue of limiting the categories of officials benefiting from immunity, as well as the inviolability framework, is also discussed so that their immunity only applies to acts committed by them when performing their official duties.

Similarly, the issue of the advisability of introducing legislative changes that provide for clear regulation of possible investigative and/or criminal proceedings against persons benefiting from
immunities before their immunity is deprived is discussed so that immunities are not an obstacle to the effective investigation and prosecution of corruption offences.

**Assessment of Progress – 17th Plenary Meeting: LACK OF PROGRESS**

The general information provided on the consideration of issues related to the implementation of the recommendation does not contain information on any practical steps in this direction.

**18th ACN Plenary Meeting, September 2017**

**Government report:**

At present, significant work is under way to improve legislation on the adoption of a simple, clear and transparent procedure for depriving immunity of those categories of persons benefiting from immunity for which such procedure is not provided by law. A draft law of the Republic of Uzbekistan “On Amendments and Additions to Article 239 of the Code of Criminal Procedure” was elaborated.

**Assessment of Progress - 18th Plenary Meeting: PROGRESS**

The State provided information on the draft law on amending Art. 239 of the Code of Criminal Procedure of the Republic of Uzbekistan, which concerns persons for whom preventive measures may be applicable.

However, no details were given on either the content of the aforementioned draft law or on any steps aimed at implementing the other components of the recommendation.

**Recommendation 11. International Cooperation and Mutual Legal Assistance**

*Consider adopting provisions that allow taking testimony of a witness or expert by video conference in accordance with Article 32 of the UNCAC.*

*Consider becoming a Party to the CIS Chisinau Convention on Mutual Legal Assistance and Legal Relations in Civil, Family and Criminal Cases.*

**17th ACN Plenary Meeting, September 2016**

**Government report:**

On December 30, 2015, the Minister of Justice approved the Work Plan of the Interagency Working Group for the Study of the Observance of Human Rights and Freedoms by Law Enforcement and Other State Bodies for 2016, in accordance with its point 4 it is envisaged to study the issue of the widespread introduction of videoconferencing in criminal procedural and civil procedural legislation.

In July 2016, the Research Center under the Supreme Court prepared an analytical report on the study of national legislation and the experience of foreign countries, as well as a draft law providing for appropriate amendments and additions to the procedural legislation that was sent for review to the concerned ministries and departments.

Practical implementation of the provisions of this draft law is impossible without the introduction of modern technologies in the activities of law enforcement agencies and courts, and therefore

the Government carries out large-scale measures in this direction.

Thus, the Resolution of the President "On Measures for Wide Introduction of Information and Communication Technologies in the Activities of the Prosecuting Authorities of the Republic of Uzbekistan" (No. ПП-2568 of July 29, 2016) was adopted to implement integrated measures to introduce modern information and communication technologies and software products to improve efficiency of activities of the prosecuting authorities.

Similar measures are implemented in relation to the judicial system and law enforcement agencies.

The issue of Uzbekistan's accession to the Convention on Mutual Legal Assistance and Legal Relations in Civil, Family and Criminal Cases (Chisinau, October 7, 2002) is under consideration.

Assessment of Progress – 17th Plenary Meeting: PROGRESS

In Uzbekistan, attention continues to be paid to discussing the use of videoconferencing in criminal proceedings, analytical information has been prepared, and a relevant draft law is being discussed. It is also reported on measures for implementation of information and communication technologies and software products in the work of judicial and law enforcement bodies, which will create an appropriate resource base for the use of videoconferencing.

There is no specific information on the implementation of the second part of the recommendation.

18th ACN Plenary Meeting, September 2017

Government report:

The provision came into effect providing for the possibility of hearing the testimony of a witness or an expert in a videoconference mode in accordance with Article 32 of the UN Convention. Thus, in particular, the Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan "On some issues of conducting court sessions in the mode of videoconferencing in the consideration of civil, criminal and administrative cases" was adopted of June 24, 2017. The goal is to create more favorable conditions for exercising the right to judicial protection, ensuring the accessibility of justice, minimizing the financial and time costs of citizens and business entities participating in the judicial process, as well as ensuring promptness in handling civil, criminal and administrative cases and reducing procedural deadlines.

In accordance with Article 32 of the UN Convention, the draft law of the Republic of Uzbekistan “On Introducing Amendments and Additions to Art. Art. 93, 106, 1061, 4241 of the Code of Criminal Procedure” was developed.

The issue of joining the CIS Chisinau Convention on legal assistance and legal relations in civil, family and criminal cases is being considered. In particular, in pursuance of the State Program for the Implementation of the Actions Strategy (point 316), the Ministry of Foreign Affairs developed a draft Plan of work to improve the international legal and contractual activities of the Republic of Uzbekistan for 2017-2020. The document is currently under approval. Point 31 of the Plan of Work provides introduction to the Government a conclusion on the possibility of Uzbekistan's participation in the framework of the Chisinau Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases of October 7, 2002. The deadline for submitting proposals is the 1st quarter of 2018. At the same time, the Foreign Ministry’s opinion on the possibility of Uzbekistan’s accession to the Chisinau Convention with the relevant reservations

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33 http://lex.uz/pages/getpage.aspx?lact_id=3107042&query=%D1%81%D1%82%D1%80%D0%B0%D1%82%D0%B5%D0%B3%D0%B8%D0%B8
was sent to the Ministry of Justice.

**Assessment of Progress - 18th Plenary Meeting: SIGNIFICANT PROGRESS**

The state reported on the adoption of the Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan "On some issues of conducting court sessions in the mode of videoconferencing in the consideration of civil, criminal and administrative cases", which has created more favorable conditions for exercising the right to judicial protection, ensuring the accessibility of justice, minimizing the financial and time costs of citizens and business entities participating in the judicial process, as well as ensuring promptness in handling civil, criminal and administrative cases and reducing procedural deadlines.

Regarding the second part of the recommendation, in accordance with the draft Plan of work for to improve the international legal and contractual activities of the Republic of Uzbekistan for 2017-2020, which is part of the State Program for the Implementation of the Strategy for Development of the Republic of Uzbekistan, in the 1st quarter of 2018 a conclusion on the possibility of the accession to the Chisinau Convention should be submitted to the Cabinet of Ministers of Uzbekistan.

**Recommendation 12. Investigation and Criminal Prosecution of Corruption – Operational Investigative Activities**

*Introduce statutory definitions of certain types of operational investigative activities, to fully align legislation and practice in this area with the UNCAC.*

**17th ACN Plenary Meeting, September 2016**

**Government report:**

A regulatory definition of certain types of operational investigative measures for full compliance with the UN Convention against Corruption was introduced.

In particular, in accordance with the Law of Uzbekistan "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan" No. 405 of April 25, 2016, certain articles of the Criminal Procedure Code of the Republic of Uzbekistan provide for clarification of the concept of "investigative and discovery actions" as "investigative actions and operational investigative activities".

The Law of the Republic of Uzbekistan "On Operational Investigative Activities" specifies the types of operational investigative activities.

**Assessment of Progress – 17th Plenary Meeting: SIGNIFICANT PROGRESS**

In Uzbekistan, the Law "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan" has been adopted, which gives definitions of certain types of operational investigative activities, which is an essential step forward in terms of ensuring legal certainty.

At the same time, the question remains as to the conformity of the legislative definition of "controlled delivery" with the provisions of Article 4, 50 of the UN Convention Against Corruption, which was stressed separately during the monitoring.

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**Government report:**

The recommendation is fulfilled - the Law of the Republic of Uzbekistan "On Operational Investigative Activities" specifies the types of operational investigative activities.

**Assessment of Progress - 18th Plenary Meeting: LACK OF PROGRESS**

Since the previous progress update, the question remains as to the conformity of the legislative definition of "controlled delivery" with the provisions of Article 4, 50 of the UN Convention Against Corruption.

Article 2 of the Convention provides a general definition of "controlled delivery" as the technique of allowing illicit or suspect consignments to pass out of, through or into the territory of one or more States, with the knowledge and under the supervision of their competent authorities, with a view to the investigation of an offence and the identification of persons involved in the commission of the offence. However, Article 50 specifies that use of controlled delivery may include methods such as intercepting and allowing the goods or funds to continue intact or be removed or replaced in whole or in part. In order to allow for the more effective investigation and prosecution of corruption, it is recommended that the State align the definition with the requirements of the Convention.

**Recommendation 13. Investigation and Prosecution of Corruption**

*Increase the anti-corruption specialization of law enforcement and prosecution authorities; Strengthen the independence of the structural unit of the Prosecutor General's Office responsible for investigating and prosecuting corruption cases.*

*Consider including beneficial ownership information in the centralized register of bank accounts, which will be available to the investigative authorities.*

*Train investigators and prosecutors in conducting investigations and criminal prosecutions in relation to complex financial crimes, allocate necessary human and financial resources, including the availability of expertise in the fields of forensic accounting and information technologies.*

*Provide public access to regularly updated statistics on criminal and other corruption offences, in particular, to the number of applications on such violations, the number of reported cases, the results of the investigations, and operational investigative measures used in the process of criminal prosecution and litigation (specifying sanctions and categories of the accused depending on their positions and employment).*

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**Government report:**

At present, work is underway to strengthen the independence of the structural unit of the Prosecutor General's Office, responsible for investigating and prosecuting corruption cases, for which purpose a draft of the Provision providing for appropriate measures has been developed.

According to the Government Regulation No. 177 of July 3, 2015, amendments and additions were made to the Provision on the Unified State Register of Enterprises and Organizations (USREO) (approved by the Government Regulation No. 274 of September 25, 2012), according to
which:

Identification numbers, classification indicators from the USRPO, as well as postal addresses, phone numbers, information on the founders of legal entities, the numbers and dates of state registration (amendments to constituent documents, exceptions to the unified state register) of legal entities are open and publicly available (point 17);

Information from the USREO is provided to public authorities and bodies of state administration, law enforcement agencies in accordance with the procedure established by law free of charge (point 18).

According to the amendments and additions to Article 15 of the Law of the Republic of Uzbekistan "On Counteracting the Legalization of Proceeds Derived from Criminal Activity and Financing of Terrorism", introduced on April 25, 2016, banking institutions and other organizations are required to provide information on beneficial owners that will be available to investigative bodies.

In particular, organizations engaged in transactions with funds or other property, among other things, are instructed to "perform identification procedures and take measures to properly verify customers, including verification and regular updating of data on the customer and their owners; identify owners and persons who control customers, and take affordable measures to verify their identity;open an account, conduct an operation, enter into business relations and terminate existing ones, and send a suspicious transaction report to a specially authorized state body; to send reports on suspicious transactions to a specially authorized state body, including attempts to commit them, in accordance with established procedure, not later than one business day following the day of their detection ".

On an ongoing basis, investigators and prosecutors are trained to investigate and prosecute complex financial crimes, including forensic accounting, forensic and other types of examinations.

Thus, over the past year, 27 trainings for the above-mentioned subjects have been conducted with the coverage of more than 500 investigators of the preliminary investigation bodies.

Similar measures are carried out in the inquiry and investigative bodies.

Thus, in order to upgrade the skills of the core departments of the State Customs Committee for the prevention and combating corruption, special anti-corruption courses for the employees of the Department of Internal Security and the Directorate for Inspection of Customs Complexes and Stations of the General Directorate of Personnel of the State Customs Committee, as well as 2 specialized courses on the theme "Identification of Corruption Offences in the Customs Sphere" were conducted.

Statistics on criminal cases of corruption offences, including the number of applications for such violations, the number of cases initiated, the results of investigations and trials (indicating the applied punishments, categories of the defendants, their position and place of work) are published in central and departmental mass media.

Assessment of Progress – 17th Plenary Meeting: PROGRESS

Uzbekistan informed on amendments to the Law “On Counteracting the Legalization of Proceeds Derived from Crime Activity and the Financing of Terrorism”, according to which organizations engaged in transactions with money or other property are required to identify owners and persons controlling customers, and to take available measures on the verification of their identity, as well as to inform the specially authorized body (Department for Combating Tax, Currency Crimes and Legalization of Criminal Proceeds under the General Prosecutor’s Office of the Republic of Uzbekistan) on suspicious transactions. How effective this provision is to be
assessed in the future.

In addition, the information provided demonstrates the training of investigators, prosecutors and representatives of enquiry bodies to investigate and prosecute complex financial crimes, but did not provide information on the allocation of the necessary human and financial resources, including forensic accounting, information-technological expertise and research.

General information is provided on the developed Provision aimed at strengthening the independence of the structural unit of the General Prosecutor's Office, responsible for the investigation and prosecution of corruption cases. However, there are no details about what is planned to be changed.

In addition, the information received does not contain specific information about the publication of criminal statistics (in which media information is published, how often, in what part and how regularly it is updated, etc.).

18th ACN Plenary Meeting, September 2017

Government report:

In order to strengthen the anti-corruption specialization of law enforcement agencies and prosecuting authorities, the State Program provides for a set of appropriate measures (points 37-41), as well as the development and adoption of departmental acts that provide effective measures to prevent corruption offences in the activities of public authorities directly engaged in combating corruption (point 39).

The Ministry of Justice adopted the order "On Approving the Procedure for Preventing the Commitment of Corruption Offences by the Justice Institutions" No. 150-ym of May 31, 2017; General Prosecutor's Office - the order "To ensure the internal security of the General Prosecutor's Office"; The Ministry of Internal Affairs - the order "On the improvement of the activities of the internal affairs bodies’ security departments" No. 101 of June 12, 2017.

Active implementation of further reforms in law enforcement bodies is being carried out. In 2016 it was adopted and in 2017 the Law "On Internal Affairs Bodies"35 came into force. The law specifies in detail the duties and rights of the internal affairs agencies, the use of certain coercive measures by the internal affairs bodies (including the grounds and procedure for detaining persons), the use of physical force, special means and firearms, the procedure and conditions for serving in internal affairs bodies, and legal and social protection of employees (health protection, salaries, housing, state pension provision and obligatory state insurance). A number of other legislative acts were adopted36.

The State Program (point 40) and the Program for Offensive Prevention and the Fight against Crime for 2017-201837 envisages an increase in the level of technical support for law enforcement agencies and the introduction of modern information and communication technologies into their work. The prosecuting authorities were connected to the databases of the Information Center of the Ministry of Internal Affairs, the Ministry of Health and the Ministry of Employment and Labor Relations. Corresponding departments of the Prosecutor General’s Office have been granted

35http://www.lex.uz/
36http://www.lex.uz/ In particular, the Decree of the President of the Republic of Uzbekistan No. УП-5005 of April 10, 2017 "On Measures to Radically Increase the Effectiveness of the Activity of the Internal Affairs Bodies, to Strengthen their Responsibility for Ensuring Public order, the Reliable Protection of the Rights, Freedoms and Legitimate Interests of Citizens" and the Decision of the President No. ПП-2883 of April 12, 2017 "On Organizational Measures for Further Improvement of the Activity of Internal Affairs Bodies" were adopted, Regulations on the Ministry of Internal Affairs of the Republic Uzbekistan were approved. In addition, the Resolutions of the President of the Republic of Uzbekistan "On Measures to Radically Improve the Activities of the Internal Affairs Departments on the Prevention of Offences" No. ПП-2896 of April 18, 2017, and; "On Measures to Radically Improve the Activities of the Internal Affairs Agencies on Investigating Crimes" No. ПП-2898 of April 18, 2017; "On Additional Measures to Provide Prevention Inspectors of internal affairs bodies' base stations with official housing " No. ПП-2906 of April 20, 2017 were also adopted and entered into force.
37ПП-2833 от 14.03.2017 г.
access to data bases of employment (http://newwork.mehnat.uz), births (http://103.106.minzdrav.local), appeals for hotline “1003” (http://1003.minzdrav.uz), National information and analytical center for drug control under the Government of the Republic of Uzbekistan (http://10.0.101.2/nmbd/), the website of the People's Reception cabinet.pm.gov.uz for establishing the prosecutor's supervision over the execution of incoming appeals. Additionally, software for 4 information systems has been developed. Contracts were concluded for the creation of 8 more automated information systems of the General Prosecutor’s Office.

Training of investigators and prosecutors in the sphere of investigation and prosecution of complex financial crimes is conducted, the necessary human and financial resources are allocated, including for forensic accounting, information-technological expertise and research. For example, from the beginning of 2017, for the territorial staff of the Department under the Prosecutor General's Office, weekly training sessions are held on the basis of the Tax Academy under the State Tax Committee and the Training Center under the Ministry of Finance. For the first half of this year, 194 attendees improved their qualifications. On the basis of the Advanced Training Faculty of the Academy of the Ministry of Internal Affairs, training was conducted for 59 investigators of internal affairs agencies on the investigation of criminal cases on financial crimes, the study of the procedure for forensic accounting, information and technology expertise and research.

Public access to statistical data on criminal and other corruption offences is provided, in particular, by the number of applications for such violations, the number of registered cases, the results of investigations, operational and investigative activities carried out in the process of criminal prosecution and legal proceedings (indicating the data on punishments applied, categories of the defendants, their position and place of work), in particular on the website of the General Prosecutor's Office. For example, information on the results of 2016 was published in the Information Report on the Ninth Plenary Session of the Oliy Majlis Senate of the Republic of Uzbekistan. For example, in the first half of 2017, the prosecuting authorities received a total of 118,434 appeals from individuals and legal entities. The General Prosecutor's Office carried out a reception of 9,773 citizens, with departure to remote areas. The Center for Reception of Telephone Appeals at the General Prosecutor's Office on the hotline "1007" recorded 50,671 appeals, of which 99.8% were considered, 15.8% were satisfied, and for 82% were given legal clarification. Based on the results of consideration of applications for the "hotline", 121 illegal acts were abolished, 78 submissions to eliminate the causes of violations and 263 claims were made, 14 officials were warned, 500 officials were brought to disciplinary, administrative and material liability, 148 officials and other persons were prosecuted. From businesses to the "helpline" of the General Prosecutor's Office received 1,893 applications. As a result of consideration of applications, 29 officials were brought to disciplinary, administrative and material liability, 2 officials and other persons were criminally responsible. The "helpline" of the General Prosecutor's Office received 1893 applications from business entities. As a result of consideration of applications, 29 officials were brought to disciplinary, administrative and material liability, 2 officials and other persons – to criminal liability.

Assessment of Progress - 18th Plenary Meeting: PROGRESS

The state provided the information that, in order to strengthen the anti-corruption specialization of law enforcement agencies and prosecuting authorities, the State Program provides for a set of appropriate measures, but there are no details on what exactly is provided for by these measures.

http://www.prokuratura.uz/ru/pages/news/uzbekiston_respublikasy_of_the_oliy_%D0%B0%D0%BD%D0%B1majlisi_conating_thin_alpi_majlisi _tid_axborot/
Also, the training of investigators and prosecutors continues in the sphere of the investigation and prosecution of complex financial crimes.

As already mentioned in the progress update on Recommendation 8, the State provided general information about the fact that during the reporting period the Ministry of Internal Affairs regularly collects and analyses statistical data on the results of the investigation and prosecution of corruption. During additional consultation, the Government stated that the Republican Anti-Corruption Interagency Commission (RIC) analyzed these data in the preparation of a comprehensive report on the implementation of the State Program on Combating Corruption. The report contains a significant amount of data on anti-corruption measures, including the number of allegations of corruption, the number of cases registered, and the results of investigations. However, at the time of the progress update, the report was not publically available. In order to make it available to all interested parties, its publication on the RIC’s website is planned.

Pillar III. Prevention of Corruption

Recommendation 14. Integrity in Civil Service

Adopt legislation, which will introduce a system of transparent, merit-based competitive recruitment, appointment and promotion in the civil service. Provide definitions of professional and political officials.

Introduce a transparent salaries scheme in public service, rules and criteria for the allocation of variable component of salaries.

Introduce regulation on prevention of conflict of interests and ensure it is properly enforced in practice.

Put in place a system for public officials to submit asset declarations; regulate the procedure of declaring personal assets of public officials and consider checking these declarations and making them public.

Provide general guidelines for codes of conduct for public institutions officials. Introduce an order that provides for mandatory adoption of codes of conduct for public officials. Define sanctions for non-compliance with ethical standards.

Introduce regulations on accepting gifts by public officials and consider the possibility of imposing restrictions on post-office employment for public servants.

Adopt regulations on the protection of “whistle-blowers”.

18th ACN Plenary Meeting, September 2017

Government report:

A provision has been introduced to prevent a conflict of interest in article 3 of the Law “On Combating Corruption”. In particular, the conflict of interests is a situation in which personal interest (direct or indirect) affects or can affect the proper performance by a person of its administration or official duties and in which there arises or may arise a contradiction between personal interest and the rights and legitimate interests of citizens, organizations, society or
State Program (point 27) provides for the preparation of proposals for improving the organizational and legal framework for resolving the conflict of interests of public bodies employees.

Provision had been made for the protection of persons reporting on corruption, in particular, the law provides for the obligation of public authorities to notify about the facts of corruption offences (point 26), responsible for corruption offences (point 27), the protection of “whistle-blowers”, those who report information on corruption offences (point 28).

The State Program (point 7) provides for the development of a draft law on the protection of victims, witnesses and other participants in the criminal process, which provides state guarantees for the physical and social protection of victims, witnesses and other participants in the criminal process, including “whistle-blowers”.

According to the point 24 of the State Program, departmental acts have been adopted, including a set of measures to ensure strict observance of the rules of ethical conduct, developed on the basis of the Model Rules of Ethical Conduct and established departmental ethics commissions. The materials are presented to the RIC in the framework of anti-corruption monitoring.

Pursuant to the point 25 of the State Program, the RIC on June 30, 2017 approved the “Action Plan to Explain the Norms and Requirements of the Rules of Ethical Conduct of State Administration Employees”, including through training, seminars, round tables.

The General Prosecutor’s Office jointly with the Ministry of justice and the Ministry of Employment and Labor Relations monitors the enforcement of ethics rules, which provide for the introduction of further improvements to the Rules of conduct (point 26 of the State Program).

Assessment of Progress - 18th Plenary Meeting: PROGRESS

The State provided information indicating that some steps had been taken towards preventing conflicts of interest and protecting whistle-blowers. In particular, the new Law “On Combating Corruption” introduces the notion of conflict of interest, provides for the protection of whistle-blowers, the duty of state employees to notify corruption-related offenses, and liability for corruption offenses.

At the same time, no information was provided on the implementation of other components of the recommendation. In particular, the introduction of a transparent salary scheme for public service employees, the introduction of the mandatory declaration of assets belonging to public officials and their disclosure, the regulation of the procedure for declaring personal assets of public officials. The implementation of the recommendation regarding the accepting of gifts by public officials and restrictions on the post-office employment of public servants also remains applicable.

As part of the implementation of the Plan, it is planned to hold seminars in 2017-2018 in the sphere of education, science and youth policy, culture, information systems and telecommunications, health, ecology, environmental protection, physical culture and sports, complex socio-economic development of territories, communal sphere, transport, capital construction and construction industry, economic development, structural transformation, reforming of banking and financial systems, coordination of activities of free economic and small industrial zones, coordination of formation and monitoring of the implementation of investment programs, attraction of foreign investment, agriculture and water resources, processing of agricultural products and consumer goods, geology, fuel and energy, chemical, petrochemical and metallurgical industries, machine building, automotive and electrical industries, standardization of products. The plan also includes the preparation of information, visual, handouts, including booklets, posters and distribution to the khokimiyat staff, extensive use of materials at ongoing trainings, seminars, roundtables and other events. Coverage of anti-corruption activities in television, radio, print and electronic media, including through the regular organization of thematic programs, interviews, debates, press conferences and other events.
Recommendation 15. Integrity in Civil Service

**Develop the concept and draft unified law on public service.**

Purposeful implementation in practice of the norms on integrity in public service, through their dissemination, availability of training and effective institutional mechanism in ministries and departments, by including these issues in departmental anti-corruption plans and engaging educational institutions in the professional development of civil servants.

Include issues of ethics corruption prevention in the four-months refresher course for the managerial staff at the Academy of Public Administration and introduce short-term courses on anti-corruption.

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**17th ACN Plenary Meeting, September 2016**

**Government report:**

The Ministry of Employment and Labor Relations has developed a concept and a draft law "On Public Service".

In practice, norms on integrity in civil service are introduced, through their dissemination, the availability of training and an effective institutional mechanism in departments and ministries, including these issues in departmental anti-corruption plans and involving training institutions in the professional development of civil servants.

The draft Regulation of the Government of the Republic of Uzbekistan "On Measures to Further Improve the Procedure for the Formation of the Personnel Reserve and the Recruitment of Employees in Public Authorities, and their Qualifications" was drafted, which provides for the introduction of competitive fundamentals of human resource management.

This project was duly coordinated with the Ministry of Finance, the Ministry of Economy, the Ministry of Internal Affairs, the Ministry for the Development of Information Technologies and Communications, the Ministry of Higher and Secondary Special Education, the Academy of Public Administration under the President of the Republic of Uzbekistan, the Chamber of Commerce and Industry, the Council of Trade Union Federation of Uzbekistan, passed a legal expertise in the Ministry of Justice and submitted to the Government of the Republic of Uzbekistan (letter No. 01-05/646 of February 29, 2016).

Ministries and departments within the framework of the practical implementation of the point 13 of the Comprehensive Action Plan for the Implementation of Anti-Corruption Measures for 2016-2017, which provides for the adoption of departmental orders (instructions) on approval of provisions for competitive selection, the relevant measures have been implemented.

For example, the Order of the Ministry of Foreign Affairs No. 23 of January 11, 2016 approved the Provision "On Competitive Selection of Young Professionals for Work in the Ministry of Foreign Affairs of the Republic of Uzbekistan", which provides for transparency and openness in the employment of personnel, their placement and further professional growth in the foreign policy body. The requirements of this document are implemented in practice by the personnel service. Thus, in the period of July 14-21 this year, the first exams (tests and written work) for candidates who were considered for work in the MFA system were held as a mandatory stage.

The Government Regulation No. 62 of March 2, 2016 "On the Approval of the Model Rules for Ethical Conduct of State Administration Employees and Local Executive Bodies" and the Plan of measures for the implementation of this decision were adopted.

In order to establish common principles and rules of ethical conduct, create conditions for
conscientious and effective performance of official duties and prevent abuses of employees of public authorities and bodies of state administration ministries and departments approved their internal orders. They approved, taking into account the specifics of the activity, departmental rules of ethical conduct of employees, mandatory for all civil servants, as well as the provisions of the Commissions on ethical conduct of employees and their personal composition.

Among employees of public authorities and bodies of state administration, extensive explanatory work is carried out to bring to them the content of the Model and departmental rules of ethical conduct, with the participation of representatives of the General Prosecutor's Office of the Republic of Uzbekistan and the Ministry of Employment and Labor Relations of the Republic of Uzbekistan. The main goal is to bring to the attention of the ministry officials the importance, significance and essence of the implemented measures in the field of professional ethics and the rules of official conduct.

A special course "Professional ethics of civil servants" on ethics and prevention of corruption is included in the Academy of Public Administration's program of four-month refresher courses for managerial staff, regular sessions are held with the participation of representatives of the Ministry of Internal Affairs and the General Prosecutor's Office.

Ministries and departments on the basis of the Centers for Advanced Studies have included special courses aimed at informing about the international standards of combating corruption, the requirements of professional ethics, the substance and content of the adopted legislative acts, amendments and additions to the codes of the Republic of Uzbekistan, the requirements for carrying out anti-corruption expertise of normative legal acts, Model Rules for Ethical Conduct of State Administration and Local Government Employees, etc.

Assessment of Progress – 17th Plenary Meeting: PROGRESS

Taking into account information on the draft concept of the law "On Public Service", which requires detail in terms of content and promotion; draft Regulation of the Government of the Republic of Uzbekistan "On Measures to Further Improve the Procedure for the Formation of the Personnel Reserve and the Recruitment of Employees in Public Authorities, and their Qualifications," which has not yet been approved for the information provided; and the adopted Regulation of the Government "On the Approval of the Model Rules for the Ethical Conduct of State Administration and Local Government Employees" No. 62 of March 2, 2016 and a number of departmental orders, progress has been made in the implementation of the recommendation.

18th ACN Plenary Meeting, September 2017

Government report:

State program (point 2) provides for the development of the draft Law "On Public Service" regulating the basic principles of building and functioning of the state service, requirements to the formation of personnel structure of public service and enter public service, its passage and termination.

The Ministry of Employment and Labor Relations has developed a concept and draft law "On Public Service". The project proposes to establish 4 basic categories of posts and at least 6

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40 The draft Law introduces the notion of meritocracy - the principle of management, according to which leading positions should be occupied by the most capable people, regardless of their social origin and financial prosperity. The draft law is intended to regulate the legal status of civil servants, the basic principles of the organization and operation of the public service system, the staff formation of civil servants, the issues of competitive recruitment, passage, evaluation of activities, dismissal from service, mechanisms for material and non-material encouragement of conscientious service, including social and pensions for state employees, issues of promotion and social protection of civil servants, issues of their hiring and transfer to another position, as well as of official ethics and combating corruption.
classes according to positions of civil servants, in conjunction with the additional payments to base salary.\(^1\)

10 by-laws were prepared, in particular, the Statute on the Authorized State Agency for Civil Service Affairs; Register of civil servants positions; Regulations on competitive selection of civil servants; Regulations on the procedure of training, retraining and advanced training of civil servants; Regulations on the formation of personnel reserve of civil servants; Regulations on evaluation of civil servants; Regulations on the assignment of public posts to categories and groups of remuneration of labor and others. It is planned to create an Agency for Civil Service Affairs, which will hold competitions and hire civil servants, develop regulations and proposals on improving the wage system and social protection of civil servants, and develop systems for assessing the effectiveness of civil servants in conjunction with government agencies.

The draft law will affect employees of 11 ministries, 7 state committees, 6 agencies, 3 committees under the Government, 6 Centers, 7 state inspectorates, as well as local state authorities. In total, the law will cover more than 280 thousand civil servants.

On July 19, 2017 in the Ministry of Employment and Labor Relations the "round table" was held to discuss the draft law. The event was attended by representatives of the Academy of Public Administration under the President of the Republic of Uzbekistan, the Ministry for the Development of Information Technologies and Communications, the Ministry of Justice, the Federation of Trade Unions of Uzbekistan, and the Chamber of Commerce and Industry of Uzbekistan. The event was covered in central and electronic media.\(^2\)

In practice, the implementation of standards of integrity in the civil service is being continued, through their dissemination, the availability of training and an effective institutional mechanism in departments and ministries, including these issues in departmental anti-corruption plans and involving educational institutions in the professional development of civil servants. For example, the Center for the Development of Professional Skills of Lawyers under the Ministry of Justice included the following courses: "International Legal Foundations and National Legislation in the Sphere of Anti-Corruption", "Anti-corruption Examination of Draft Normative Legal Acts", "Judicial Ethics", "Professional Ethics of a Lawyer", "Ethical Rules of Conduct of Justice Officers", etc.

Since 2017 the theme "Ethical rules of employees of state bodies and the Ministry of Finance" has been included in the special course. As a result, 65 categories of employees attended the training center took part. For the first half of this year, this topic covered a total of 1,913 participants of various categories. Typical educational and working programs, presentations, lecture texts, technological maps for training various categories of employees of financial, treasury bodies of the Ministry of Finance, extra-budgetary pension fund, financial and accounting employees of budgetary organizations of the system of ministries of public education, health, higher and secondary special education were prepared.

Since the beginning of 2017 a special course "Professional Ethics of Civil Servants" on ethics and prevention of corruption is included in the Academy of Public Administration’s program of four-month refresher courses for managerial staff, regular sessions are held with the participation of representatives of the Ministry of Internal Affairs and the General Prosecutor’s Office.

### Assessment of Progress - 18th Plenary Meeting: PROGRESS

As already noted in the previous report, the Ministry of Employment has developed a draft concept of the law "On Public Service". In July, a round table was held to discuss the draft law. In addition, in 2017 this issue was included in the State Program.

\(^1\)http://www.norma.uz/nashi_obzori/gossliujshchih_ocenyat_po_kpi
In this report, and during the plenary session, Uzbekistan provided information on the content of the draft law "On Public Service". The draft aims to provide a public service that is based on professional ability, ethics, and competitive selection. 10 by-laws have also been prepared. Regarding the work on the implementation of standards of integrity, three areas were described: dissemination, training and an effective institutional mechanism, for example the courses at the Center for the Development of Professional Skills of Lawyers.

As already mentioned in 2016, the program of 4-month refresher courses by the Academy of Public Administration includes a special course on ethics and prevention of corruption, entitled "Professional Ethics of Civil Servants".

Accordingly, we can note the progress on this recommendation.

Recommendation 16. Administrative Procedures

Adopt the law “On Administrative Procedures”, based on best international practices.

Ensure regular publication of the generalized results of anti-corruption expertise.

Continue implementation of e-government tools to reduce direct contacts between users of public services and state bureaucracy, as well as reduce corruption risks.

Take further steps to ensure transparency in the public administration, including intensifying efforts to increase transparency in risk-prone areas, including tax and customs system.

Provide further simplification of all types of registration, authorization and licensing procedures on the basis of the developed technique.

Ensure introduction of Regulatory Impact Analysis (RIA) in the legislative process (at least when developing the most important laws to specify their categories in regulations).

17th ACN Plenary Meeting, September 2016

Government report:

The draft Law "On Administrative Procedures" was developed by the Working Group on the basis of the Ministry of Justice and was submitted to the Legislative Chamber of the Parliament on July 21, 2016 for consideration. The draft law was sent to members of a specially formed Commission consisting of specialists from relevant departments to obtain an opinion.

When discussing the project, proposals were received from more than 40 ministries and departments, as well as from citizens on a single portal of interactive public services (SPIPS).

In order to improve the methodological base for conducting anti-corruption expertise of draft normative legal acts in accordance with the Law of the Republic of Uzbekistan "On Normative Legal Acts", the Ministry of Justice approved a new version of "Methodology for Carrying out Anti-Corruption Expertise of Draft normative legal acts" (No. 2745 of December 25, 2015).

Materials are published on the results of the anti-corruption expertise of draft normative legal acts.

Links to Web Resources:

http://www.uz.undp.org/content/uzbekistan/ru/home/presscenter/pressreleases/2016/02/08/enhancing-the-national-practice-on-anticorruption-review-of-legi.html;

A methodical manual is being prepared based on the analysis of the results of anti-corruption expertise of draft normative legal acts.

As part of the implementation of the Comprehensive Plan, in December 2015, in cooperation with the Institute for Monitoring Current Legislation, a training module was created for civil servants to prepare normative legal acts, conduct their anti-corruption expertise and assess impact. The module is designed for a contingent of attendees of the Center for the Further Training of Lawyers who are directly involved in the activities related to the anti-corruption expertise of normative legal acts and the assessment of the impact of legislative acts and the improvement of public administration (employees of the Ministry of Justice, legal services of public authorities and business entities, lawyers, etc.).

To further improve the system for assessing the impact of legislative acts on entrepreneurial activities by creating conditions for their discussion on the Single Portal for Interactive Public Services www.my.gov.uz on December 2, 2014, the Government of Uzbekistan adopted Regulation No. 328 "On measures to Implement the System for Assessing the Impact of Legislation on Entrepreneurial Activities". In pursuance of the government decision, from January 1, 2015, a system was introduced to discuss the normative legal acts being developed and assess the impact of legislative acts on entrepreneurial activity at the SPIPS site. Projects of normative legal acts are published at http://regulation.gov.uz/en with the purpose of assessing the impact of legislative acts.

On the part of the Ministry of Justice and Institute for Monitoring Current Legislation the "Methodology for Assessing the Impact of Legislative Acts" was developed in December 2015. Up to now more than 530 projects of normative legal acts have been discussed in this system.

Further steps have been taken to ensure transparency in public administration, including intensified efforts to increase transparency in tax and customs spheres.

Thus, the Law of the Republic of Uzbekistan "On the Approval of the Customs Code of the Republic of Uzbekistan" (№ 3РУ-400 of January 20, 2016) came into force on April 21, 2016. Customs Code new revision was developed in order to further formulate a single legislative framework for customs in accordance with international standards, ensure the unified application of legal norms and approaches at all stages and levels of customs administration, improve the integrity and transparency of customs regulation of foreign economic activity (FEA).

The Code provides for the issuance of permit documents with the use of information technology on a “one-stop-shop” principle. Submission of documents to the customs authorities on this principle will reduce the burden of direct treatment of FEA participants to the representatives of customs authorities, exclude the influence of the human factor and reduce the possibility of bribery, abuse of power and the emergence of other corruption components.

Minimization of the number of documents that a FEA participant must provide to customs and other authorities for the issuance of an authorization document is provided by building effective interagency cooperation with customs authorities.

After the entry into force of the Customs Code, data on foreign trade contracts are sent to the Unified Electronic Information System for Foreign Trade Operations (UEISFTO).

Due to the introduction of the Complex of Information Systems "Customs" to provide interactive services for customs clearance of goods, a complete transition to electronic declaration of goods and registration of export-import contracts is ensured. In particular, over the first half of this year more than 159.6 thousand cargo customs declarations were filled in electronic form, at the same service for registration of export-import contracts was used by more than 101 thousand times.
In accordance with the Resolution of the State Tax Committee of the Republic of Uzbekistan (reg. No. 2808 of July 12, 2016), the Regulation on the procedure for submitting financial and tax reports through telecommunication channels to the state tax service authorities came into force on July 18, 2016, whereby the entities are required to report in electronic form via telecommunication channels.

Due to the functioning of the complex of information systems "Tax", which allowed to completely ensure the transition to tax reporting in electronic form, from the beginning of 2016 126.7 thousand users took advantage of the opportunity to pay taxes from the personal taxpayer office and sent to commercial banks 1.2 million electronic payment orders totaling amount of more than 1 billion soms. In addition, on May 1 this year, a separate Taxpayer Portal was launched, through which more than 50 modern interactive services are provided (online payment of taxes, electronic tax returns, delivery to taxpayer accounts, etc.).

In addition, the Complex of Information Systems "Clearing" was put into operation, providing the development of online payment of taxes, mandatory and utility payments in the country, due to which the number of online transactions through the Internet increased by 1.65 times and amounted to 58.7 million, while the number of users increased by 1.76 times, reaching more than 1.3 million people.

Electronic management tools are introduced to reduce corruption risks and reduce direct contacts between consumers of public services and state bureaucracy. In accordance with the Regulation of the Government of the Republic of Uzbekistan No. ПП-2412 of September 28, 2015, "On Measures to Further Improve the Procedure for Rendering Public Services to Business Entities on "One-stop-shop" Principle" in order to simplify procedures for obtaining by individuals and legal entities public services and documents, on the basis of inspections for the registration of business entities in khokimiyats of districts (cities), there were established single centers for rendering public services to business entities on “one-stop-shop” principle, which operates from January 1, 2016. In the first half of 2016, the Centers received more than 51,000 applications from business entities for the provision of 16 types of public services.

In the first half of 2016, a set of information systems "License" was developed and launched, ensuring the automation of internal procedures related to the issuance of licenses and permits. A pilot implementation of a subsystem for registering licenses and permits in the Ministry of Finance activities for licensing in the telecommunications field was carried out. Currently, more than 4,000 records of licensees from 24 licensing bodies have been unified and entered in the system registry.

In accordance with the Decree of the President of the Republic of Uzbekistan "On Measures to Ensure Reliable Protection of Private Property, Small Business and Private Entrepreneurship, Removal of Barriers for their Accelerated Development" (No. УП-4725 of May 15, 2015) and the Law of the Republic of Uzbekistan "On Amendments and Additions in Some Legislative Acts of the Republic of Uzbekistan Aimed at Further Strengthening the Reliable Protection of Private Property, Business Entities, Removing Barriers for their Accelerated Development" (No. 3PU-391 of August 20, 2015), in the relevant ministries and agencies seminars were held among civil servants on the adopted changes and additions to the system of administrative and criminal legislation of the Republic of Uzbekistan with a view to changing the methods of their work and ensuring further simplification of all types of registration, authorization and licensing procedures.

Operative access of individuals and legal entities to legal acts is carried out via the Internet in the system "National Database of Legislation of the Republic of Uzbekistan" ("LexUZ"), where by August 26, 2016 more than 39,672 legal acts, Decisions of the Constitutional Court, international treaties of the Republic of Uzbekistan and decisions of local state authorities and institutions were posted (weekly updates).

The Uzbek Agency for Press and Informatization is conducting an analysis of organizational and technical measures to ensure the operation of official websites of 45 state agencies.
The Center for Development of the Electronic Government System monitors the effectiveness of the organization of "helpline" activity in the government bodies and the management of the introduction and development of information and communication systems in the activities of state and economic management bodies, local state administration authorities. Monitoring covered 49 state agencies. The evaluation is carried out by the Development Center of the "Electronic Government" system according to the methodology of the Uzbek Agency for Press and Informatization by analyzing the availability and operation of "hotlines" in state bodies.

Public authorities and bodies of state administration activities to provide public services is being improved through the use of information and communication systems, as well as inter-agency electronic interaction.

Thus, the Government Protocol on the Formation of Databases of Public Authorities in the Unified Register of Electronic Public Services (UREPS) (No. 7 of February 23, 2016) within the functions assigned to them was adopted. This register is hosted by UREPS. The list of public authorities, bodies of state administration and other organizations that carry out public services, as well as the procedure for interaction between departments, state companies and associations, local state authorities on the introduction of information and communication technologies are defined.

In order to ensure the quality transfer of public services to the electronic form, to improve the current procedure for providing electronic public services, including ensuring the unification of government documents, the Government Regulation "On Measures to Improve the Procedure for Providing Electronic Public Services" (No. 184 of June 2, 2016) and the Provision on the implementation of measures to improve an order of rendering electronic public services were adopted. These acts provide for analysis by state bodies and other organizations of the main reasons for the emergence of bureaucratic barriers, high time and financial costs in the provision of electronic public services.

The Regulation of the Government of the Republic of Uzbekistan "On Further Measures to Implement the Law of the Republic of Uzbekistan "On Electronic Government" (No. 188 of June 3, 2016) approved the Provision on the Procedure for Providing Electronic Public Services through the Single Portal of Interactive Public Services and official Websites of public authorities and Provision on the Governmental portal of the Republic of Uzbekistan on the Internet. These acts allow clearly regulate the provision of electronic public services through SPIPS.

The Regulation of the Government of the Republic of Uzbekistan "On Measures for the Establishment of an Electronic Government Interdepartmental Data Transmission Network" (No. 262 of August 22, 2016) defines the list of state bodies and other organizations providing electronic public services that are connected with priority to the E-government Interagency Data Transmission Network, as well as the Plan of measures to create and ensure the effective use of the Electronic Government Interagency Data Transmission Network. From January 1, 2017, interaction between departmental and interagency information systems and information resources of state bodies providing electronic public services, and e-government central databases will be carried out through the Interagency Network.

Since the beginning of 2016, there has been further simplification of all types of registration, authorization and licensing procedures. So, on the Single Portal of Interactive Public Services (SPIPS), an application for registration of business entities without incorporation and with incorporation of legal entity is carried out in the public domain on-line.

At SPIPS (my.gov.uz) in the first half of the year, 15 new electronic public services were launched, more than 266 thousand electronic public services were provided. The total number of interactive services provided since the beginning of this year increased by 1.7 times and amounted to more than 687 thousand, of which 56% (383.2 thousand) from business entities.

To further improve the system for assessing the regulatory impact of legislative acts by creating conditions for their discussion at the Single Portal of Interactive Public Services www.my.gov.uz, the

The Government Regulation has determined the list of types of information that should be published by them on a mandatory basis. To date, more than 530 draft normative legal acts have been discussed in this system.

**Assessment of Progress – 17th Plenary Meeting: SIGNIFICANT PROGRESS**

The draft Law "On Administrative Procedures" was submitted for consideration by the Parliament, a new version of the Methodology for carrying out anti-corruption expertise of draft normative and legal acts was approved, and training was conducted regarding the examination, however, no progress was made in publishing the results of the anti-corruption expertise.

The methodology for assessing the impact of legislative acts was developed in December 2015, but there is no information on its implementation. Since the beginning of 2016, there has been further simplification of all types of registration, authorization and licensing procedures. So, on the Single Portal of Interactive Public Services (SPIIPS), an application for registration of business entities without incorporation and with incorporation of legal entity is carried out in the public domain online.

At SPIIPS (my.gov.uz) in the first half of the year, 15 new electronic public services were launched, more than 266 thousand electronic public services were provided. The total number of interactive services provided since the beginning of this year increased by 1.7 times and amounted to more than 687 thousand, of which 56% (383.2 thousand) from business entities. On the SPIIPS site, the system of discussion of developed normative legal acts and assessing the impact of legislation on business activities was introduced.

In addition, a number of examples of informatization of various public services, simplification of customs and tax procedures were provided.

**18th ACN Plenary Meeting, September 2017**

**Government report:**

The State Program (point 8) provides for the development of the draft Law "On Administrative Procedures" aimed at improving the organization of public authorities and bodies of state administration activities; ensuring effective provision of public services by making sound and operational decisions; introduction of modern procedures for realizing the rights and legitimate interests of legal entities and individuals. The Ministry of Justice has prepared a draft Law “On Administrative Procedures” 43. The draft law was coordinated with ministries and departments and was held in a nation-wide discussion on the portal http://regulation.gov.uz/en. It was introduced to the Government for further submission to the Oliy Majlis Legislative Chamber. The draft law consists of 87 articles and 7 chapters. It is proposed to create a unified procedure for the implementation of administrative procedures within the framework of the draft Law "On Administrative Procedures".

Since 2017, the legal services of public authorities and bodies of state administration have been

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43 The purpose of the draft law is to regulate relations in the field of administrative procedures. The main objectives are to ensure the rule of law, rights and legitimate interests of individuals and legal entities in relations with public authorities and state administrative bodies through the establishment of uniform bases of administrative procedures. The draft law establishes a specific procedure for considering administrative cases and making appropriate decisions on them, grounds for repealing, changing or invalidating an administrative act, the general principles for their appeal.
systematically implementing anti-corruption expertise of draft normative legal acts of state bodies and organizations in the relevant field of activity. In addition, they systematically analyze the current normative legal acts of the state body and organization in the relevant field of activity to identify corruption-related factors in their content. Regular publication of generalized results of anti-corruption expertise is provided.

The introduction of e-government tools continues to reduce direct contacts between consumers of public services and state bureaucracy, as well as reduce corruption risks. For example, the following information and software systems are being phased in: "Pension" for providing interactive services in the field of pensions and "Health" to provide interactive services in the health sector and the further development of an integrated national health information system.

The introduction of e-government tools continues to reduce direct contacts between consumers of government services and state bureaucracy, as well as reduce corruption risks. For example, the following information and software complexes are being phased in: "Pension" for providing interactive services in the field of pensions, "Healthcare" for providing interactive services in the field of healthcare and further development of National integrated health information system, "Education" for providing interactive educational services, "Communal" for providing interactive services in the field of public utilities, "Justice-2" for collecting, processing, organizing and storing information on the activities of the courts, their decisions, the implementation of court decisions, as well as information on the activities of the notary, "Public Administration" for providing consolidated statistical information of government agencies.

One of the elements of e-government is the Virtual reception hall of the President of the Republic of Uzbekistan (September 24, 2016). Shavkat Mirziyoyev, the President of Uzbekistan signed Decree "On measures to radically improve the system of work with appeals of individuals and legal entities" (№ УП 4904 of December 28, 2016). On the basis of the Reception center of the President’s Office there were created People's reception center of the President, Virtual reception hall of the President and People's reception centers of the President in the Republic of Karakalpakstan, provinces and the city of and Tashkent, every district and city.

In the structure of the President’s Office, the Service for Control and Coordination of Work with Applications of Individuals and Legal Entities has been established. The goal is to control and coordinate the activities of state bodies and bodies of economic management in dealing with appeals, the People's reception centers. In May, 2017, it was transformed into the Service for the Protection of Citizens' Rights, control and coordination of work with appeals of individuals and legal entities of the President's Office. By July 10, 2017, 1,067,947 appeals were received from the...
The Center for Economic Research conducted a study on "Key Results and Prospects for the Development of E-Government in Uzbekistan to Improve the Effectiveness of Public Administration and the Quality of the Business Environment" (2016).

The State Program (point 42) provides for monitoring the application by the state and business authorities of "hotlines" and official websites in order to receive timely applications of individuals and legal entities about corruption offences.

For example, the Center for the Development of the Electronic Government System (the Agency for Press and Informatization) monitored the effectiveness of the organization of the activity of the "hotline", websites in 107 public authorities and the management of the introduction and development of information and communication technologies in the activities of public authorities and bodies of state administration, local state authorities and institutions for the first half of 2017.

The analysis of appeals showed that their greatest number comes on the issues of obstacles to the development of business entities, the contradictions between legislation and practice of making departmental decisions, employment, health, access to bank lending, the quality of housing and communal services and road transport services, the activities of public authorities On the ground, judicial, law enforcement and controlling bodies. This feedback mechanism was supported by citizens and began to be implemented in all state structures of the country.  

51 The analysis of appeals showed that their greatest number comes on the issues of obstacles to the development of business entities, the contradictions between legislation and practice of making departmental decisions, employment, health, access to bank lending, the quality of housing and communal services and road transport services, the activities of public authorities On the ground, judicial, law enforcement and controlling bodies. This feedback mechanism was supported by citizens and began to be implemented in all state structures of the country.
Assessment of Progress - 18th Plenary Meeting: PROGRESS

The draft law "On Administrative Procedures" was developed and submitted to the Legislative Chamber in July 2017, as indicated in the previous report in 2016. In addition, in 2017 this issue was included in the State Program.

Also in the report, Uzbekistan stated that the draft was prepared by the Ministry of Justice, and that its agreement also involved public debate by means of a portal for the discussion of normative legislative acts https://regulation.gov.uz.

As stated in the previous report, with regard to the publication of generalized results of anti-corruption expertise, a review has been conducted and its results have been published. The report indicates that legal services have been engaged in conducting anti-corruption expertise since January 2017.

Regarding transparency in public administration, it should be noted that progress has been made in the development of e-government and e-services. For example, the Single Portal of Interactive Public Services (SPIPS, https://my.gov.uz) is being developed, which applies the principle of a one-stop shop. For example, with regard to the draft law "On Administrative Procedures", there is a single portal for normative discussion: https://regulation.gov.uz.

Regarding the use of e-government tools to reduce direct contacts between citizens and state bureaucracy, it is positive to note new introductions in 2017 such as the virtual reception hall of the President of the Republic of Uzbekistan, and virtual halls for public authorities and bodies of state administration, which are accessible through the Single Portal.

A positive measure is the monitoring in 2017 of the effectiveness of hotlines and the official websites of ministries.

In general, progress has been made on Recommendation 16.

Recommendation 17. State Financial Control and Audit

Analyze international standards and best practices in developing internal control and public sector audit systems, and use this analysis for further development in this area in Uzbekistan.

Consider the possibility of introducing a modern system of internal financial control, including internal audit.

Provide explanation of the signs of corruption for the Accounting Chamber staff, who performs inspections with the objective to identify signs of corruption, for example, in the regulations of the Accounting Chamber.

Expand practical training of the personnel of the Accounting Chamber and the Controller and Auditor General Office, who conducts inspections, on the signs of corruption and methods of its detection.

17th ACN Plenary Meeting, September 2016

Government report:

Interaction and cooperation with international organizations to study international standards and best practices in the introduction of internal control and state audit systems are ensured.

In particular, the Ministry of Finance conducts a study of foreign experience in the implementation of a modern internal financial control system, including internal audit, the
In 2015-2016, during visits to Armenia and the Czech Republic, Uzbek experts studied international standards and best practices of introducing internal control and state audit systems within the framework of the World Bank's PEMPAL Internal Audit Practices Community (IAC).

The Law of the Republic of Uzbekistan "On Accounting" was adopted in a new version (No. 3PY-404 of April 13, 2016). Articles 11 and 21 of the law introduced a new norm establishing the organization and implementation of internal control by accounting entities.

The law defined "internal control" as a system of measures designed to ensure the legality, economic feasibility of conducting business operations, safeguarding assets, preventing and detecting incidents of embezzlement and mistakes in accounting, financial and other reporting. This provides a legislative basis for further implementation of the internal control and internal audit system.

Amendments have been made to the Instruction on the Procedure for Accounting and Organization of Accounting Work in the Banks of the Republic of Uzbekistan (Resolution of the Board of the Central Bank No. 1834-6 of June 13, 2016), which entered into force on June 20, 2016.

A draft "On amendments and additions to the Instruction on the procedure for conducting inspections and audits by the Controller and Auditor General Office and its territorial offices" has been prepared.

In order to expand the practical training of employees of the Accounting Chamber and the Controller and Auditor General Office of the Ministry of Finance for the period 2015-2016, 12 trainings were held, during which issues of combating corruption and methods for its detection were considered.

On September 10 and 17, 2016, it was planned to hold seminars for employees of the Controller and Auditor General Office of the Ministry of Finance and the Accounting Chamber of the Republic of Uzbekistan for inspections and identification of signs of corruption and methods for its detection on the basis of the Ministry of Finance with the participation of representatives of the Prosecutor General's Office and its Department.

### Assessment of Progress – 17th Plenary Meeting: SIGNIFICANT PROGRESS

According to the information provided in Uzbekistan, a new version of the Law "On Accounting" was adopted, which introduced a new norm establishing the organization and implementation of internal control by accounting entities.

The law defined "internal control" as a system of measures designed to ensure the legality, economic feasibility of conducting business operations, safeguarding assets, preventing and detecting incidents of embezzlement and mistakes in accounting, financial and other reporting. This provides a legislative basis for further implementation of the internal control and internal audit system.

In order to expand the practical training of employees of the Accounting Chamber and the Controller and Auditor General Office of the Ministry of Finance for the period 2015-2016, 12 trainings were held, during which issues of combating corruption and methods for its detection were considered.

### 18th ACN Plenary Meeting, September 2017

**Government report:**

An analysis of international standards and best practices in the introduction of internal control and state audit systems is being conducted. For example, during visits to Russia (October 16-19,
2016) and Hungary (March 28-31, 2017), Uzbek experts studied international standards and best practices for the introduction of internal control and public audit systems within the World Bank PEMPAL Internal Audit Practices Community (IAC).

In order to use this analysis for further development in this sphere in Uzbekistan, a plenary session and a meeting of working groups of the World Bank PEMPAL Internal Audit Practices Community (IAC) are scheduled to be held in Tashkent on October 23-2953.

The Accounting Chamber also carries out active cooperation and exchange of experience with international audit organizations and advanced countries. For example, the inspectors of the Accounting Chamber participated in a seminar on public audit management on April 10-28, 2017 at the Institute of Audit and Inspection in the Republic of Korea54.

The system of state financial control and audit in Uzbekistan has implemented a number of reforms aimed at introducing a modern system of internal financial control, including internal audit. In the structure of the Accounting Chamber, an Inspectorate was established to monitor the completeness of revenues to the State Budget of the Republic of Uzbekistan55.

The Accounting Chamber is recognized as the supreme body of external audit and financial control exercising its powers separately and independently, while in its activity it reports directly to the President, reports to him, as well as the Oliy Majlis Parliament chambers. The Accounting Chamber will systematically submit to the President information on its activities, including ensuring completeness of revenues to the state budget. The main tasks of the Accounting Chamber, its structure and staffing are determined. The staffing level of the body has been increased from 21 to 70 people, including the staff of the Inspectorate for the Control of the Completeness of Revenues to the State Budget (41 people)56.

The State Program (point 30) provides for the implementation of a set of measures to further strengthen the institutions of financial control, internal and external audit, and enhance their participation in anti-corruption activities.

The Republican Interagency Commission, the General Prosecutor's Office, the Ministry of Finance and the Accounting Chamber prepared the draft Resolution of the President of the Republic of Uzbekistan "On Further Improvement of the Mechanism for Financing Educational and Medical Institutions and the System of State Financial Control", which was submitted to the Government. The goal is further improvement of the mechanism of financing, streamlining of budget accounting and reporting in educational and medical institutions, as well as increasing the responsibility of ministries and departments - budget administrators in strengthening budgetary discipline in subordinate organizations.

Based on the study of foreign experience the introduction of internal audit and financial control services in the Ministry of Public Education, the Ministry of Health, the Ministry of Higher and Secondary Special Education and the Pension Fund, as well as in their regional offices is for the first time envisaged. Their activities will be organizationally and methodically ensured and coordinated by the new Department of the methodology and treasury budget execution, internal audit and financial control under the Ministry of Finance.

53 In terms of this event, training seminars will be held at the Treasury of the Ministry of Finance of the Republic of Uzbekistan, the Tashkent Financial Institute of the Republic of Uzbekistan, the Higher Education Courses of the General Prosecutor's Office of the Republic of Uzbekistan, and the Banking and Finance Academy of Uzbekistan with the participation of experts from the International Institute of Auditors, the World Bank, as well as a meeting of the International Press Club for employees of ministries and departments, scientists, teachers, students, employees of the Department at the Prosecutor General's Office, attendees of the Higher Education Courses, etc.

54 http://training.koica.go.kr

55 Par. 3 of the Decree of the President of the Republic of Uzbekistan "On Measures to Radically Improve Tax Administration, Increase the Collection of Taxes and Other Mandatory Payments" No. УП-5116 of July 18, 2017.

A requirement is made for the Ministry of Public Education, the Ministry of Health, the Ministry of Higher and Secondary Special Education to oblige publication of estimates of expenditures of subordinated institutions and reports on their implementation, as well as a list of contracts for goods procurement (works and services) on the website of relevant public authorities and bodies of state administration. Thus, transparency and public control over the execution of the State Budget of the Republic of Uzbekistan will be ensured. It is planned to create a Republican Interagency Council on Improving State Financial Control, which will allow coordinating the work of all ministries and departments involved in monitoring the use of budgetary funds.

The Ministry of Finance jointly with the Accounting Chamber and the Prosecutor General’s Office on May 30, 2017 held a round table on "Priorities for further strengthening financial control, internal and external audit, and intensifying their participation in anti-corruption activities".

In the period from May to June 2017, this event was widely broadcast on television by news agencies and other media, as well as information regarding this event was posted on the websites of most ministries and departments.

Explanatory seminars were also held in public authorities and bodies of state administration. So, for example, during June-July of this year seminars were organized in 10 ministries and departments, in particular in the Ministry of Higher and Secondary Special Education, the Ministry of Employment and Labor Relations, the Ministry of National Education, the Ministry of Health, the Ministry of Economy, the State Tax Committee, The State Customs Committee, the Republican Commodity and Raw Materials Exchange.

Practical training of employees of the Accounting Chamber and the Controller and Auditor General Office, which conduct inspections, on issues of signs of corruption and methods of its detection, was conducted more widely. For example, seminars are held weekly for the employees of the Accounting Chamber on such issues as the identification of corruption abuses and other crimes, the most common types of corruption offences in the sphere of public finance management, international experience and analysis of corruption violations revealed by the results of control actions carried out by the Accounting Chamber with the involvement of specialists from the General Prosecutor’s Office and other law enforcement agencies.

### Assessment of Progress - 18th Plenary Meeting: PROGRESS

Regarding the analysis of international standards and best practice in the field of internal control and public audit systems, Uzbekistan has made some progress. The experience of Russia and Hungary was studied, and a seminar was held with the World Bank. The issue is included in the State Program.

The positive intentions of Uzbekistan, as laid out in the State Program, to consider this issue and establish internal audit and financial control services in some state bodies and in the regions, are welcome.

In 2017 a round table was held on financial control, internal and external audit. Uzbekistan also reported on explanatory work in in public authorities and bodies of state administration.

In 2017, training was conducted for employees of the Accounting Chamber on the signs of corruption and methods for their detection, but the availability of a written explanation cannot yet be noted.

In general, progress was made on Recommendation 17.

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Recommendation 18. Public Procurement

Ensure soonest completion of the development, adoption and enforcement of the Concept of further development of public procurement system for 2015-2025 and the Law "On Public Procurement" to provide the necessary transparency, clarity and fair operation of the entire procurement system and preventing corruption in procurement.

Upon adoption of these basic documents, ensure the reform of the public procurement system in accordance with the main international standards, in particular the OECD guidelines on UNCITRAL principles.

Promote the establishment of an independent, transparent and effective system, as well as appeal procedures for participants of public procurement.

Expand the e-procurement portal and registry ("black list") of mala fide suppliers in order to cover all government tenders. Further development of e-procurement should ensure greater transparency in procurement, minimize bureaucratic and subjective factors in the procurement, organize a unified database for statistical analysis of results, all the necessary parameters of the procurement.

Strengthen the capacity of the working body for public procurement in the sphere of monitoring and analysis of public procurement.

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17th ACN Plenary Meeting, September 2016

**Government report:**

In order to further improve and strengthen the regulatory and legal framework for public procurement and enhance the efficiency of using budgetary allocations, a draft law of the Republic of Uzbekistan "On Public Procurement" was drafted. In developing the draft law, prepared with the participation of experts from the World Bank and UNDP, the current international UNCITRAL Model Law on Public Procurement was taken into account. The draft law “On Public Procurement” consists of 8 chapters and 57 articles, and also contains articles regulating all types of public procurement, including direct, appeals against actions (inaction) of the customer, organizer of public procurement, commissions, conflicts of interest, etc.

On January 14-16, 2016, the Ministry of Finance discussed the draft law jointly with experts from the World Bank and UNDP.

Since January 2016, the new procedure has been introduced according to which information on public procurement conducted on the special information portal of the Uzbek Republican Commodity and Raw Materials Exchange (RCME) is transmitted electronically through information interaction between the "Treasury" software complex and RCME portal for the purpose of an operative summary and generalization of information on public procurement.

In order to further ensure the openness and transparency of public procurement, the State Committee of the Republic of Uzbekistan on Assistance to Privatized Enterprises and Development of Competition, in cooperation with the Ministry of Finance and other interested agencies, developed a draft Government Regulation "On Measures to Further Improve the Special Information Portal of the JSC "Uzbek Republican Commodity and Raw Materials Exchange" and the processes of implementation of public and corporate procurement", which

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https://www.mf.uz/home/deyatelnost-ii/gosudarstvennye-zakupki.html
was later adopted by the Government of the Republic of Uzbekistan (№ 242 of July 27, 2016).

This legal act does not allow contracts without prior announcement on their implementation on the special portal of the RCME, except in cases stipulated by law. It is prohibited to enter into agreements with suppliers entered in the register of mala fide suppliers. Managers and officials responsible for organizing public and corporate procurement are personally responsible for compliance with the requirements of the legislation.

The Provision on the procedure for placement and disclosure of information on public and corporate procurement on the special information portal of the JSC "Uzbek Republican Commodity and Raw Materials Exchange" extends to budget organizations, recipients of budgetary funds, the extra-budgetary Republican trust book fund under the Ministry of Finance, the Children's Sports Development Fund under the Ministry Education, subjects of natural monopolies, state unitary enterprises and business associations with the state share in the authorized capital of more than 50%, state and economic management bodies, as well as other competent authorities and users dedicated RCME portal.

Over the course of the first half of 2016, over 190 thousand electronic transactions were made on the website for the implementation of public electronic purchases of the "Procurement" system. Over 56 billion sums were saved in electronic auctions, and the total number of goods (works, services) registered in the system of suppliers exceeded 40 thousand.

**Assessment of Progress – 17th Plenary Meeting: PROGRESS**

Information is provided on the draft law on improving the legal regulation of public procurement developed with the help of experts from the World Bank and UNDP, the project is under discussion.

The Government of the Republic of Uzbekistan adopted a resolution "On measures to further improve the special information portal of the JSC "Uzbek Republican Commodity and Raw Materials Exchange" and the processes of implementation of public and corporate procurement".

This legal act does not allow contracts without prior announcement on their implementation on the special portal of the RCME, except in cases stipulated by law. It is prohibited to enter into agreements with suppliers entered in the register of mala fide suppliers. Managers and officials responsible for organizing public and corporate procurement are personally responsible for compliance with the requirements of the legislation.

Since January 2016, the new procedure has been introduced according to which information on public procurement conducted on the special information portal of the Uzbek Republican Commodity and Raw Materials Exchange (RCME) is transmitted electronically through information interaction between the "Treasury" software complex and RCME portal for the purpose of an operative summary and generalization of information on public procurement.

**18th ACN Plenary Meeting, September 2017**

**Government report:**

In accordance with the Presidential Decree No. УП-4848 of October, 2016 and the State Program, the draft Law "On Public Procurement" is being drafted, providing for a transparent and open mechanism for public procurement on a competitive basis, measures to prevent corruption in this area; wide access of the small business and private entrepreneurship entities to public procurement; the establishment of an independent and effective system, the definition of clear appeals procedures for participants in public procurement; further development of e-procurement, etc.

The Ministry of Finance has developed a draft law of the Republic of Uzbekistan "On Public Procurement", which was held in the nationwide discussion on the portal
The project is coordinated with the relevant public authorities and organizations and placed for discussion on a Single portal of interactive public services, it also received a legal opinion from the Ministry of Justice. In May 2017, the draft Law "On Public Procurement" was submitted to the Government.

The draft law consists of 59 articles and 8 chapters. The purpose of the document is to regulate relations in the sphere of public procurement.

The draft law includes concepts in the field of public procurement and principles, defines areas of state regulation, privileges and preferences in public procurement, the authorities responsible for state regulation, subjects, their rights and obligations, general requirements for the public procurement process, methods of implementation, measures for prevention of corruption in public procurement, rules of ethical conduct and conflict of interest, as well as procedures for monitoring and control procedures in the sphere of public procurement, enforcement and explanation among the population of the nature and meaning of the law.

The draft law provides that, in order to ensure fair, prompt and effective consideration of complaints, the Government creates a standing Commission for the review of complaints. Separate articles define procedures for handling complaints, disputes and disagreements on the implementation of contractual obligations in the course of public procurement.

On January 1, 2017 JSC "Uzbek RCME" in order to reduce risks to public and corporate procurement price manipulation has launched a software module that enables the formation and the provision of free access to all users of a special RCME portal information about the level of prices, formed on the basis of the results of exchange trades, public and corporate purchases.

JSC "Uzbek RCME" together with the Training Center of the Ministry of Finance conducts regular work on professional development of participants in the process of public and corporate procurement, using the capabilities of the online learning site (bilim.uz) to improve professional qualifications of all persons and prevent unintentional errors, related to ignorance of legislation and procurement practices.

The Resolution of the President of the Republic of Uzbekistan "On Measures to Further Reforming the System of Public and Corporate Procurement of Goods (works, services)" was adopted (No. ПП-3166 of July 31, 2017).

The Decree of the President of the Republic of Uzbekistan "On Measures for the Implementation of the Project Management System in the Republic of Uzbekistan" No. УП-5120 of July 24, 2017 provides for the creation of the Unified National Information System of the Project Management of the Republic of Uzbekistan, the introduction of a unified national directory of resources, allowing the formation of an objective market value of each resource (goods, works and services), as well as the organization of a single automated public procurement system that ensures transparency and prevention abuse.

Assessment of Progress - 18th Plenary Meeting: PROGRESS

Regarding the recommendation for the soonest completion of the development, adoption and implementation of the Law "On Public Procurement", it should be noted that the law is still at the
development stage. At the same time, it is positive to note that the draft was agreed upon, public discussion was held and the agreed draft was submitted to the Cabinet of Ministers for consideration and this Law was included in the State Program that was adopted in 2017. Accordingly, there is no progress in terms of the recommendations for implementation. Regarding the appeal procedure, this part of the recommendation can be implemented through the new Law "On Public Procurement". Regarding the expansion of e-procurement, several innovations and projects can be noted, which is welcome. There is a project of a single guide to public procurement prices. In addition, during the plenary session, Uzbekistan stated that the National Project Management Agency was created in July 2017, one of the functions of which will be public procurement. Uzbekistan also informed that on August 23, 2017, the President of Uzbekistan issued a resolution on a single procurement portal. On this basis, the public procurement portal https://www.uzex.uz will be modernized. The main innovation is the obligation to publish information and to provide e-procurement to a wider audience (both large and small purchases). The national agency is responsible for the implementation of this resolution. The existence of the Government Commission on Public Procurement under the Cabinet of Ministers of the Republic of Uzbekistan should be noted. It is expected that cooperation will be established with this body. Taking into account the steps taken, including the additional information that was provided during the plenary meeting, progress has been noted on Recommendation 18.

Recommendation 19. Access to Information

Ensure that legislation on free access to information limits discretion of officials in refusing to provide information; set precise definitions of the “state secret” or “other secret protected by the law”.

Carry out campaigns to raise citizens’ awareness about their rights and responsibilities in regard to the access to information regulations. Ensure systematic training of officers who are responsible to provide information on the access to information.

Establish a unified electronic system of publication of information by government bodies and state institutions, define the list of information to be published by them mandatory and ensure this publication including of legislative acts, court decisions and information about revenues and expenditures of the state budget, including separately on export earnings and how these revenues are used. Ensure free public access to this information.

Establish a special agency or use an existing body (for instance, the Ombudsman office) which will be responsible for the enforcement of the access to information legislation, performs surveillance over the implementation of the regulation, ensure independent review of complaints and can apply necessary sanctions in this regard.

17th ACN Plenary Meeting, September 2016

Government report:

To create a unified electronic system for publishing information by public authorities and bodies of state administration. The Law of the Republic of Uzbekistan "On Electronic Government" (No. 3PY-395 of December 9, 2015) was adopted, which provides for the regulation
of relations in the sphere of electronic public services.


Decision of the Government of the Republic of Uzbekistan No. 232 of August 7, 2015 "On Measures to Further Improve the Governmental Portal of the Republic of Uzbekistan on the Internet with Regard to the Provision of Open Data" and the Order of the Minister for the Development of Information Technologies and Communications of the Republic of Uzbekistan "On approval of the rules for the formation of open data, their placement and processing" (Registered by the Ministry of Justice of the Republic of Uzbekistan on December 28, 2015, No. 2746) were adopted, according to which the Open Data Portal (data.gov.uz) was launched, which is a forum for posting public information from public authorities and bodies of state administration. Currently, the portal hosts 1,249 sets of open data, which were used more than 463.6 thousand times.

The protocol of the Republican Commission for Coordination of the Implementation of the Comprehensive Development Program of the National Information and Communication System of the Republic of Uzbekistan for 2013-2020 (No. 7 of February 23, 2016) approved a list of sets of open data of state and economic management bodies, local state administration authorities subject to mandatory publication of the open data of the Republic of Uzbekistan on their official websites and the Portal.

A unified electronic system for publishing information by public authorities and bodies of state administration has been created, in particular:

- Governmental portal of the Republic of Uzbekistan www.gov.uz;
- A single portal of interactive public services www.my.gov.uz;

In the second half of 2015, works were carried out to modernize the Open Data Portal. On the Portal, which serves as a "single point" for access to open data, there are 1249 sets of public data submitted by 63 organizations. Portal users downloaded sets of open data more than 463.6 thousand times.

All official websites of public authorities and bodies of state administration created the "Open Data" section, where is hosted and regularly updated array of information providing public interest. The Agency for Press and Informatization regularly evaluates the official websites of state bodies for ensuring access of individuals and legal entities to information about their activities, determines the ratings of ministries and departments.

In order to cover the open data portal and its functions, as well as inform and raise public awareness regarding the portal the National TV and Radio Company organized 9 large-scale exhibitions, interviews, meetings, talks were held. In addition, 13 information and analytical programs on this issue, as well as about 20 news blogs on the Internet and social networks were released.

Execution of the state budget from 2005 to 2016, including information on revenues and expenditures of the state budget is presented on the website of the Ministry of Finance.

Through the Single portal of interactive public services, data on foreign trade contracts are submitted to the Unified Electronic Information System for Foreign Trade Operations (UEISFTO).

In Uzbekistan, various forms of online dialogue with the population are being actively introduced. Public discussions are held in various spheres of state administration. Citizens proposed to introduce 96 new types of electronic services on the Single Portal of Interactive Public Services.

The Ministry for the Development of Information Technologies and Communications and the
Agency for Press and Informatization of the Republic of Uzbekistan adopted the Resolution "On approval of the Model Regulations on the procedure for the presence of users of information at public collegiate meetings of public authorities" [Registered by the Ministry of Justice on December 22, 2015 Reg. No. 2742]. A model provision was signed by the National Association of Non-Governmental Non-Profit Organizations and the Independent Institute for Monitoring Civil Society Formation.

**18th ACN Plenary Meeting, September 2017**

**Government report:**

A unified electronic system for publishing information by public authorities and bodies of state administration Lex.uz was created. A list of types of information to be published in compulsory order in 2015 was defined, and this information is published, including normative legal acts, court decisions. At the same time, the development of the legislative framework for providing access to information continues. For example, the State Program (point 5) provides for the development of a draft law "On the Dissemination of Legal Information and the Provision of Access Thereto"62, prepared by the Oliy Majlis Legislative Chamber. The draft law consists of 27 articles and 4 chapters. Its purpose is to regulate relations in the field of disseminating legal information and providing access to it.

The draft law proposes to enshrine the right of individuals and legal entities on state guaranteed free access to legal information provided by public authorities, citizens’ self-government bodies and other organizations through publishing and disseminating normative legal acts.

In order to radically improve the dissemination of regulatory and legal acts, improve the quality of legal informing the perpetrators and the public about the nature and significance of legislation, and in order to timely bringing their essence and significance to performers, addressees of legal norms, as well as broad sections of the population and business structures, the President of the Republic of Uzbekistan adopted the Resolution "On Measures to Radically Improve the System of Dissemination of Legislative Acts"63.

The resolution provides for the establishment of a unified procedure for the dissemination of normative and legal acts, the identification of fundamentally new approaches in this area, the consolidation of mechanisms for organizing the implementation of newly adopted laws and clarifying the essence and significance among the population. A unified procedure and terms for the official distribution of newly adopted laws, decisions of the President of the Republic of Uzbekistan and other legislative acts directly to public authorities and bodies of state administration for execution and application in practice have been determined.

It should be noted that from now on the state bodies responsible for organizing the execution, bringing to the performers and explaining the essence and significance among the population will be indicated in the texts of the draft laws introduced to the Oliy Majlis Legislative Chamber of the Republic of Uzbekistan. This mechanism helps to ensure the effective and timely implementation of the newly adopted laws.

Responsible public authorities and bodies of state administration entrusted with the control,

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62 The draft law includes effective organizational and legal mechanisms for the dissemination of normative legal acts, including the publication of concepts, explanatory notes to them, the wide implementation of the practice of preparing and publishing comments on adopted laws and by-laws; Measures to clarify and widely inform the public about the objectives and content of regulations; a clear definition of the powers of the chambers of the Oliy Majlis, the Government, and other public authorities to bring laws and by-laws to performers and the population. The draft law is aimed at increasing the effectiveness of the system of dissemination of legal information, as well as strengthening the responsibility of government officials. Responsible bodies for the dissemination of legal information, their powers, duties and responsibilities are established. The Ministry of Justice of the Republic of Uzbekistan is determined by a specially authorized state body in the field of dissemination of legal information and is entrusted with effective coordination, methodological guidance for the activities of public authorities for the dissemination of legal information.

after signing of the legal act, will necessarily approve the plan of measures for execution, bringing to performers and explaining to the public of its essence and significance.

Another innovation is the provision of access to information and analytical materials of normative legal acts prepared in the course of their development. Legal propaganda of the essence and significance of the adopted legislative acts will now be carried out taking into account these information and analytical materials, which will allow better transfer their merits, improve the quality of legal culture and legal consciousness of the population.

The Ministry of Justice is determined by the authorized body that coordinates and controls the activities of public authorities and bodies of state administration for the dissemination of normative legal acts. The resolution approved the Scheme for dissemination of legislative acts, explanations to performers and the public of their essence and significance, which details the procedure and timing of the distribution of legislative acts.

So, the Ministry of Justice of the Republic of Uzbekistan is responsible for bringing all normative legal acts to all public authorities and bodies of state administration in a timely manner. Henceforth, all normative legal acts within one day from the moment of their adoption are sent electronically and in paper form to the Ministry of Justice, which within one day ensures their bringing to all state bodies and organizations in electronic form according to the list determined by the Government of the Republic of Uzbekistan.

In parallel, the Ministry of Justice ensures the placement of texts of newly adopted normative legal acts in the National Database of Legislation of the Republic of Uzbekistan on the lex.uz website within one day and their publication in the "Collection of Legislation of the Republic of Uzbekistan" on a weekly basis.

In order to provide a qualitative and effective explanation to the public of the essence and significance of laws, it is envisaged to carry out legal propaganda and explanatory work by responsible public authorities and bodies of state administration through the development and implementation of media plans, the creation of legal advocacy groups, the organization of cycle of TV and radio programs, posting of articles, information materials in the media, etc.

In addition, the resolution approved a new composition of the Interagency Council for Coordinating Public Authorities Activities on Legal Propaganda and Education and formed its territorial commissions with the inclusion of representatives of law enforcement agencies, courts, government bodies, educational institutions and other organizations.

In order to strengthen the role of representative bodies in this sphere, an annual report of the Ministry of Justice of the Republic of Uzbekistan and its departments on issues of dissemination of normative legal acts to the Oliy Majlis Senate of the Republic of Uzbekistan and the People’s Deputies Kengashes is put into practice.

Measures are also planned to improve the National Database of Legislation of the Republic of Uzbekistan, including the creation of a database of the most popular texts of normative legal acts in English.

Information on revenues and expenditures of the state budget, including separately on export earnings and on the use of these revenues, is available on the website of the Ministry of Finance mf.uz. Despite this, the State program (point 29) provides for the development and implementation of additional anti-corruption measures in the sphere of ensuring transparency in the process of formation and expenditure of budgetary funds, as well as the availability of information on their distribution.

RIC on June 30, 2017 approved "Additional measures on counteracting corruption in the sphere of formation and ensuring transparency in the process of spending budget funds, as well as the openness of information on their distribution".

On June 17, 2017, the Minister of Finance approved the "Action plan for ensuring transparency in
the process of formation and expenditure of budgetary funds, as well as the availability of information on their distribution” \(^{64}\).

The population has free access to this information, in particular:

- the Order of the Ministry of Finance of the Republic of Uzbekistan No. 141 of December 26, 2016 “On the further expansion of the List of open data placed on the open data portal of the Republic of Uzbekistan and on the website of the Ministry of Finance of the Republic of Uzbekistan” approved the List of open data of the Ministry of Finance of the Republic of Uzbekistan, to be issued on a regular basis on the open data portal of the Republic of Uzbekistan;
- the Order of the Ministry of Finance of the Republic of Uzbekistan No. 11 of January 10, 2017 approved the "Procedure for the presence of users of information at open collegial meetings of the Ministry of Finance of the Republic of Uzbekistan;"

Expansion of the range of public services led to the creation of another information site www.my2.gov.uz on the Single Portal of Interactive Public Services (SPIPS) - this is a single point of access for citizens and entrepreneurs to public services and the most necessary information about them. In the new version of the Unified Portal services are provided personalized for the user and are available after authorization. To do this, services are grouped at the offices of the citizen and the entrepreneur. The use of electronic public services envisages the confirmation of the account in the Unified Identification System (OneID). OneID provides access to all public systems, including SPIPS\(^{65}\).

In order to simplify the procedures for obtaining public services by individuals and legal entities and reducing the number of documents, in 2015 there were created uniform centers for rendering public services to business entities on “one-stop-shop” principle. Since February 2017, they have been transferred from the structure of the khokimiyats of districts and cities to the jurisdiction of the Ministry of Justice of Uzbekistan.

Practice of registration by the “one-stop-shop” centers of 16 types of permits for entrepreneurial activity without visiting other structures contributed to the elimination of red tape, unnecessary time and expenses of business entities. In order to further expand this positive practice, the resolution provides for the phased introduction of the registration mechanism through the “one-stop-shop” centers in addition to 86 types of the most sought-after licenses and permits.

From January 1, 2018, the requirement to mandatory permits and licenses issued through “one-stop-shop” centers on special paper form is canceled by creating the possibility of obtaining information about issued, suspended, renewed, reissued, canceled, as well as terminated permits.

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\(^{64}\) In order to expand the possibility of free access of individuals and legal entities to budgetary data, the following information is placed on the Ministry of Finance’s website: a budget message; the main parameters of the State Budget; the citizen’s budget; Quarterly and annual budget report; The conclusion of the Accounting Chamber of the Republic of Uzbekistan on the annual budget report; Information on public procurement; Coverage of the budgetary process in a convenient form for the population; Coverage of budgetary legislation; Violations of budget legislation and measures taken to counter corruption; System coverage of information on appeals of legal entities and individuals, in the part of the Public Finance Department.

\(^{65}\) Citizens in their interactive office can get information about the existence of arrears in taxes and public services, fines for traffic rules, personal pension and insurance charges, etc. In addition, citizens can apply for various public services, for example: Notarization of transactions for the purchase and sale of real estate, obtaining various certificates (about non-conviction, confirmation of wages and length of service, etc.), customs and other services. Based on the results of the service, SPIPS forms an electronic document (certificate, certificate, extract, etc.) stored in the repository of electronic documents, due to this, you do not have to visit agencies to obtain a paper version of the document. Receipt of electronic documents will avoid trips to various departments.
and licenses.

In the first quarter of 2017, the complex of information systems "License" was put into operation. In order to determine the specific timeframes for the phased implementation of 60 types of public services rendered exclusively through the “one-stop-shop” centers, the Schedule for 2018-2020 was approved.

From January 1, 2017, interaction between departmental and interagency information systems, information resources of state bodies providing electronic public services, and central databases of e-government is carried out through the Interagency Network.

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The creation of Lex.uz, a unified electronic system for publishing information by public authorities and bodies of state administration, is commendable. A list has also been established of the types of information requiring mandatory publication by them, and provisions have been made for the publication of this information, including regulatory legal acts, and court decisions. A draft law "On the Dissemination of Legal Information and the Provision of Access Thereto" has been prepared. The purpose of the legislation is to regulate relations in the field of the dissemination of legal information and the provision of access thereto.

The Government reported that information on revenues and expenditures of the State budget, including separately on export earnings and on the use of these revenues, is available on the website of the Ministry of Finance – www.mf.uz. On 30 June 2017, additional measures were also approved to counteract corruption in the sphere of budget formation and ensure transparency in the process of budget spending, as well as the disclosure of information on their distribution. Accordingly, on-line information on the revenue and expenditure component of the State budget is now available.

At the same time, it is important to ensure that legislation on freedom of access to information restricts the discretionary powers of officials regarding possible refusals to provide information. In addition, the State did not provide information on whether precise definitions of the concepts of "state secret" and "other secret protected by the law" had been introduced.

**Recommendation 20. Further Steps in the Sphere of Access to Information**

*Repeal criminal and administrative liabilities for defamation.*

*Take practical steps to assign officers to be responsible for access to information in all public authorities.*

*Review the legislation on access to information by consolidating the relevant provisions within one law and bringing other relevant legislation (in particular the law on state secrets) in line with the law on access to information, in particular the law on state secrets.*

*Ensure implementation of the Law “On the Transparency of the Activities of Bodies of State Power and Administration” including, where necessary by adapting the relevant bylaws.*

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66 The complex of information systems "License" provides: reception by state bodies and other organizations rendering public services through "one-stop-shop" centers, applications for issuance of permits and licenses in the field of entrepreneurial activity (hereinafter - permits and licenses); remote access to information on the procedure and terms for obtaining permits and licenses in a form convenient for business entities; automation of licensing and licensing procedures in the field of entrepreneurial activity with the possibility of submission by business entities of applications for the issuance of permits and licenses in electronic form; the ability to track the progress and outcome of consideration of applications for permits and licenses, regardless of the place and manner of circulation of business entities for public services provided through one-stop centers; the ability to obtain information from the permit and license registries.
Government report:

The issues of consolidating the legislation on access to information within the framework of a single law, as well as the repeal of criminal and administrative liabilities for defamation, are under discussion.

In all public authorities and bodies of state administration the staff was enlarged and employees were appointed on issues of access to information in all state authorities. In the ministries and departments, the procedure for accrediting media representatives or journalists, including electronic ones, was adopted. The accreditation procedure is posted on the official website of ministries and departments.

According to Article 10 of the Law "On the Transparency of the Activities of Bodies of State Power and Administration ", it is envisaged to organize the work of information services of ministries and departments. Information services are functioning in all public authorities and bodies of state administration and responsible officials on issues of access to information have been appointed.

The Public Fund for Support and Development of Independent Print Media and Information Agencies of Uzbekistan and the Uzbek Agency for Press and Information conduct regular training seminars to improve the skills of information service employees. Thus, in 2015-2016 seminars on “Improving the professional skills of information workers of government agencies and public organizations and strengthening their cooperation with the media” were organized and held in almost all departments.

On September 21, 2015 in Samarkand, an international conference was held on the theme "Openness of the state authorities and administration activities - an important guarantee of ensuring the constitutional right of citizens to receive information: the experience of Uzbekistan" with the participation of members of parliament, heads of ministries and departments and their information services, Institutes of civil society, as well as representatives of UNESCO, OSCE, experts from Germany, Great Britain, USA, Estonia, Greece, Finland.

The implementation of the Law “On the Transparency of the Activities of Bodies of State Power and Administration” is ensured, and a number of normative acts have been developed and adopted.

Thus, the Government Regulation "On Complex of Measures for Implementation of the Provisions of the Law of the Republic of Uzbekistan "On the Transparency of the Activities of Bodies of State Power and Administration " (No. 360 of November 6, 2015) approved a set of measures to implement provisions of the Law, and the Public Council for Coordination and Monitoring activities to ensure the transparency of public authorities and bodies of state administration activities was established on the proposal of the Independent Institute for Monitoring Civil Society Formation, the National Academy of Electronic Media, the National Association of Non-Governmental Non-Profit Organizations, the Public Fund for Support and Development of Independent Print Media and Information Agencies of Uzbekistan, other non-governmental non-profit organizations and mass media.

Since January 1, 2016, a system for monitoring and assessing the transparency the activities of bodies of State power and administration has been introduced. The monitoring is carried out by the

67 For example, in the State Tax Committee // https://soliq.uz/ru/press_center/news/vnimanie-deyatelnosti-informatsionnykh-sluzhb/?sphrase_id=73773
68 http://www.uzembassy.ru/210915.htm
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The Government Regulation "On Complex of Measures for Implementation of the Provisions of the Law of the Republic of Uzbekistan "On the Transparency of the Activities of Bodies of State Power and Administration" (No. 360 of November 6, 2015) approved a set of measures to implement the provisions of the Law, and the Public Council for Coordination and Monitoring Activities to ensure the transparency the activities of bodies of State power and administration was established.

Since January 1, 2016, a system for monitoring and assessing the transparency the activities of bodies of State power and administration has been introduced. The monitoring is carried out by the Center for Development of the Electronic Government System, mass media, non-governmental non-profit organizations in the information sphere. However, there is no information on the practical results of the system.

The Open Data Portal (data.gov.uz), which is the platform for posting the public information of state authorities, has been launched.

There is no information on practical steps aimed at repealing liabilities for defamation, as well as unification of the legal regulation of access to information.

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Government report:

The State Program (point 20) provides for the study of the status of fulfillment of the requirements of the Law "On the Transparency of the Activities of Bodies of State Power and Administration", preparation of proposals for improving legislation and law enforcement practice.

The Public Council for Coordination and Monitoring of Activities to Ensure the Transparency of the Activities of Bodies of State Power and Administration studied the state of compliance with the requirements of the Law "On the Transparency of the Activities of Bodies of State Power and Administration", including the analysis of law enforcement practice of implementation of the law in more than 50 public authorities in regions such as Namangan, Ferghana, Syrdarya, Jizzakh, Tashkent, Kashkadarya, Bukhara regions and Tashkent city.

Seminars were held on the themes "Topical issues of e-government infrastructure development" (February 24, 2017 and "Ensuring openness and transparency of state bodies, wide application of effective mechanisms of interaction with civil society institutions" (June 23, 2017).

Proposals have been prepared to amend Article 44 of the Administrative Liability Code of the Republic of Uzbekistan.

The State Program (point 21) provides for quarterly monitoring and assessment of the transparency of the activities of bodies of State power and administration. Monitoring is carried out of the activities of 47 state bodies, including 15 ministries and the Central Bank, 8 state committees, 6 agencies, 3 centers, the Government of the Republic of Karakalpakstan, 12 khokimiyats and khokimiyat of Tashkent city.

An official website www.ochiqlik.uz has been created. The automated offices for all monitoring entities are placed to optimize their activities to ensure the transparency of the activities of bodies of State power and administration.

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The Government reported on the prepared proposals to amend Article 44 of the Administrative Liability Code of the Republic of Uzbekistan. That said, no information is available on the nature of the changes and their status at the present time.

In addition, no information / analysis on the monitoring and assessment of the transparency of the activities of bodies of State power and administration has been provided.

The Open Data Portal (data.gov.uz), which is a platform for posting the public information of state authorities, has been launched. In addition, the official site www.ochiqlik.uz was created. However, there is no analysis of the information posted on these sites by State bodies.

Also, the Government did not provide any information on practical steps aimed at repealing liabilities for defamation, as well as consolidating legislation on access to information.

Taking into account the information provided during the bilateral consultations on the strengthening of State bodies in matters of access to information, it can be noted that there has been slight progress in the implementation of the recommendation. However, implementation remains applicable for the main part of the recommendation regarding the repealing of liabilities for defamation, as well as the consolidation of legislation on access to information.


Establish time limits and forms for the purpose of timely and regular disclosure of financial statements of political parties, oblige them to publish them in Internet and reflect sufficient and understandable to the general public information on budgets of political parties, including use of state funding by every candidate if it is information about elections.

Establish a liability for violation of obligation to disclose information on financial statements of political parties.

Continue to develop the principles and rules for prevention of corruption and conflicts of interests of political officials and ensure their effective implementation.

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Government report:

In 2016, political parties adopted local legal acts regulating the timeliness and compulsion to publish financial statements by publishing them on the Internet in order to comply with the provisions of the Law of the Republic of Uzbekistan "On the Financing of Political Parties," according to Article 5 of which parties must publish information on the amount and sources of financing their activities.

Each party ensures that its members and the public have access to information about their funding through party newspapers and their websites.

For example, the decision of the Executive Committee of the Political Council of the Liberal Democratic Party of Uzbekistan No. 01-07/04 of March 9, 2016 instructed the Press Service to unconditionally comply with the publication requirements in the party media (in the newspaper "XXI asr" and on the official website) about the budget of Liberal Democratic Party, as a separate item included the liability for non-compliance with the obligation to publish financial statements of the party. The report on the implementation of the party budget for 2015 and the main parameters of the budget for 2016 were released to the public in the newspaper "XXI asr" No. 10 (642) on March 10, 2016. The financial report of the Liberal Democratic Party of Uzbekistan for
2015 was also published on the Internet\(^6\).

In order to ensure transparency, openness, prevent corruption and misuse of funds allocated to political parties, the Law No. 3PY-396 of 29.12.2015 "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan"\(^7\) provides for amendments and additions to the normative legal acts regulating the financial and economic activities of political parties. In particular, the opening of accounts of parties in banks is orderly, the party can open three accounts for activities: one primary for the receipt of state budget funds, and two secondary accounts for the receipt of extra-budgetary funds and pension accounting. Earlier, political parties could open settlement accounts in various banks. At the same time, there was no separate accounting, allocated from the state budget and membership fees, donations and other sources, and all funds went to one account.

The complex plan for the implementation of the Law of the Republic of Uzbekistan No. 396 of December 29, 2015 presupposes the development and adoption of the Instructions of the Central Executive Committee and the Government of the Republic of Uzbekistan providing for a specific procedure for financing elections, including the Oliy Majlis Senate of the Republic of Uzbekistan, the Zhokargy Kenges of the Republic of Karakalpakstan, local Kengashs of People’s Deputies, differentiation of funding for political parties and individual candidates nominated from this party, the delineation of information on the expenditures of parties and individual candidates contained in the reports, as well as increasing the transparency of funding, specific timing of publication reporting on it.

Since the beginning of 2016, to strengthen the system of internal audit and audit for the implementation of economic and financial activities and the fulfillment of the statutory goals and objectives of political parties, the internal control and audit departments (groups) have been included in the structure of the Central apparatus of political parties and their Provisions were adopted.

Thus, the internal control and audit departments were created on the basis of the following decisions:

- Executive Committee of the Political Council of the Liberal Democratic Party of Uzbekistan No. 01-07 / 01 of January 13, 2016;
- VI Plenum of the Central Council of the Democratic Party of Uzbekistan "Milliy Tiklanish" of July 16, 2016;
- Executive Committee of the People’s Democratic Party of Uzbekistan No. I-1/8 of February 5, 2016;
- the 12th meeting of the Executive Committee of the Social Democratic Party of Uzbekistan "Adolat" № 1 of December 28, 2015.

Political parties with the purpose of regulating the remuneration of employees of the Central Apparatus and territorial divisions of the parties, preventing corruption and conflict of interests among officials, adopted the Regulations on the System of Material Incentives and Social Protection for the Staff of the Party Apparatus, Territorial and District (Urban) Party Organizations, by establishing uniform principles and rules for the material incentives of party officials with a view to increasing the transparency and financial accountability of all levels and structures of parties (Interparty Agreement No. 1 of December 31, 2015).

In the context of OECD recommendations, parties based on ethical codes (regulations) have a

\(^7\) [http://lex.uz/ru/law_collection/?id=3094](http://lex.uz/ru/law_collection/?id=3094)
practical mechanism to prevent corruption and conflict of interest among officials within the party.

For example, in order to ensure the effective implementation of the Ethics Regulations, the Liberal Democratic Party of Uzbekistan, at the level of primary party organizations, compulsorily explains and brings to all candidates for membership in the party all the provisions of this act (posted in Uzbek and Russian on the party’s official website\(^1\)).

The Ethical Code of the Democratic Party of Uzbekistan "Milliy Tiklanish" is also published on the website [www.mt.uz](http://www.mt.uz) and in the form of a booklet (60x84) in the amount of 300 copies sent to all regional offices.

The Social Democratic Party of Uzbekistan "Adolat" adopted the Rules on the Integrity of Party Members, in 2015 a commission was established and its membership was approved\(^2\).

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Information is provided on legislative changes aimed at streamlining the financial and economic activities of political parties (Law "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan" of December 29, 2015). In particular, according to this Law, political parties and their organizations are prohibited from having bank accounts in more than one bank, as well as accounts in foreign banks. The party can only open three accounts for activities: one primary for the receipt of state budget funds, and two secondary accounts for the receipt of extra-budgetary funds and pension accounting.

The complex plan for the implementation of the Law of the Republic of Uzbekistan No. 396 of December 29, 2015 presupposes the development and adoption of the Instructions of the Central Executive Committee and the Government of the Republic of Uzbekistan providing for, among other things, the delineation of information on the expenditures of parties and individual candidates contained in the reports, as well as increasing the transparency of funding, specific timing of publication reporting on it.

Information has also been received on inner-party rules regarding ethics and integrity, inner-party responsibility for non-compliance with the obligation to publish party financial statements. Some examples of the disclosure of party reporting are given.

However, there is no information about the appropriate legal regulation of these issues in the legislation at the national level, as required by the recommendation.

The foregoing indicates a slight progress towards the implementation of the recommendation.

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**Government report:**

In accordance with the Law “On the Financing of Political Parties”, political parties annually publish their budgets for general information and submit reports on sources of financing their activities to the Legislative Chamber or its authorized body in accordance with the established procedure. The Oliy Majlis Legislative Chamber of the Republic of Uzbekistan considers them at its session.\(^3\)

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Political parties publish information on the amount and sources of financing their activities, on income from financing the election campaign in party newspapers and on official websites.

The Instruction "On the Procedure for Financing and Using Funds for the Preparation and Conduct of Elections of the President of the Republic of Uzbekistan" (No. 733 of September 15, 2016) provides for funding the election campaign of a candidate from a political party in which, pursuant to the point 48, a political party is obliged to publish information on the volumes and sources of funding for the election campaign of their candidate in the party print media and on the official website of the political party within one month after the publication of the election results. Financial reports were published by all parties.

Not later than 20 days after the publication of election results, political parties submit to the Central Election Commission financial statements the costs of electoral campaign.

Not later than 50 days after publication of election results, the Central Election Commission submits to the Ministry of Finance consolidated reporting (on the costs of district election commissions, political parties and separately centralized expenses of the Central Election Commission), as well as on the expenses of candidates from political parties.

The Central Election Commission, the Accounting Chamber and the Ministry of Finance held a seminar on October 7, 2016, entitled "Peculiarities of financing the participation of political parties in the elections of the President of the Republic of Uzbekistan" for managers and employees of financial, accounting and business departments, legal advisers of organizational structures of political parties. The seminars explained the innovations contained in the Resolution "On Approving the Instruction on the Procedure for Financing and Using Funds for the Preparation and Conduct of Elections of the President of the Republic of Uzbekistan" (No. 733 of September 15, 2016) adopted by the Central Election Commission.

The Accounting Chamber of the Republic of Uzbekistan, on the basis of the results of the reporting year, carries out a control audit of the receipt and targeted use of financial and other means by political parties, including how they fulfill the requirements of the legislation on the annual publication and disclosure of their statements. According to the results of control activities, the Accounting Chamber proposes to eliminate the identified shortcomings and prevent them in the future and on their basis sends prescriptions to the leaders of political parties for execution.

At the monitoring stage, which involves receiving information on the enforcement of the requirements of the Accounting Chamber, officials who evaded or failed to comply with the orders of the Accounting Chamber in accordance with Article 215-2 of the Administrative Code of the Republic of Uzbekistan may be brought to administrative responsibility.

Based on the point 4 of the Comprehensive Plan of Measures for the Further Improvement of Electoral Legislation and Law Enforcement Practices (hereinafter - the Comprehensive Plan), approved on March 17, 2017, the concept and structure of the draft Electoral Code of the Republic have been prepared.

In a single legislative act, it is envisaged to unify the norms of election laws, eliminate conflicts, exclude cases of double interpretation and application of the norms of electoral legislation, determine the procedure for electing members of the Oliy Majlis Senate of the Republic of Uzbekistan at the level of the legislative act with the abolition of the relevant Instruction of the Central Election Commission, form a single polling station for Elections to the Oliy Majlis

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Point 56 of the Instruction "On the Procedure for Financing and Use of Funds for the Preparation and Conduct of Elections of the President of the Republic of Uzbekistan" approved by the Resolution of the Central Election Commission No. 733 of September 15, 2016.
Legislative Chamber and local Kengashes of People's Deputies, to ensure transparent and reliable mechanisms for resolving disputes (complaints and appeals) related to elections.

In accordance with the point 5 of the Comprehensive Plan, the work on the preparation of the draft Law of the Republic of Uzbekistan "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan" is under the way, providing for:

- determination of the sources of funding for elections to the provincial, district and city Kengashes of People's Deputies, the activities of district and precinct election commissions;
- the possibility of carrying out charitable activities during the period of pre-election campaign and agitation on issues put to a referendum;
- state financing of participation of political parties in the elections of the President of the Republic of Uzbekistan.

In accordance with the point 6 of the Comprehensive Plan, work is under way to draft a resolution of the Central Election Commission that provides for a specific procedure for financing elections, including the Oliy Majlis Senate of the Republic of Uzbekistan, the Zhokargy Kenes of the Republic of Karakalpakstan, the local Kengashes of People's Deputies; the procedure for drawing up, agreeing and approving the cost estimate; a specific list of the types of expenditures of election commissions, political parties and individual candidates requiring state funding; the procedure for accounting for donations of legal entities and individuals, their distribution and use; the procedure for funding activities for the organization of repeat voting, repeat elections, elections of deputies (members of the Senate) instead of retired; differentiation of financing of political parties and individual candidates nominated from parties, delineation of information on expenditures of parties and individual candidates contained in reports; increase of transparency of financing, specific terms of publication of reporting on it.

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According to the information provided, the concept and structure of the draft Electoral Code of the Republic have been prepared, the purpose of which is to unify the norms of election laws, eliminate conflicts, and exclude cases of double interpretation and application of the norms of electoral legislation.

It is important that the aforementioned draft takes into account the requirements of Recommendation 21 on political corruption with regard to the appropriate legal regulation of these issues in the legislation at the national level.

Also, there is no analysis of the draft legislation itself, or information on its status and the possible timeframe for its adoption. Also, the information provided does not allow an assessment of the government of Uzbekistan's progress in implementing the part of the recommendation on the development of principles and rules for the prevention of the corruption and conflict of interests of political officials and ensuring their effective implementation. The information provided indicates slight progress in the implementation of the recommendation.

Recommendation 22. Integrity in the Judiciary

Review the procedures for selecting and appointment of judges ensuring objectivity and transparency, in particular, by providing clear criteria for selecting and appointment of judges and their reappointment for a new term. Provide for a procedure for reasoning and appeal of decisions of the relevant bodies related to the career of judges. Limit the influence of political bodies on the appointment and dismissal of judges, to the maximum extent possible; Exclude possibility of appointing judges without undergoing relevant procedures.
Bring the membership of a body, responsible for selecting the judges (Higher Qualification Commission) in compliance with international standards, in particular, ensuring that it consists of the majority of judges representing different levels of the judicial system and elected by other judges.

Consider the possibility of appointment of judges for an unlimited term. Alternatively adopt the procedures ensuring objective and transparent assessment and appointment of judges after expiration of initial five-year term.

Adopt clear grounds for disciplinary liability of judges. Abolish the powers of the Chairman of Courts to initiate disciplinary cases. Ensure publication of decisions on disciplinary proceedings.

Introduce legislative automated system of random distribution of cases and ensure its implementation in practice.

Provide access to the decisions of courts by making appropriate amendments to the legislation.

Provide by law and in practice the financial independence of judiciary.

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**Government report:**

In Uzbekistan, work on the further implementation of judicial and legal reform is being continued.

Within the framework of this work, existing international standards and best international practices are considered, resulting in the preparation of proposals for improving legislation and practice.

The Research Center under the Supreme Court in 2015-2016 conducted 3 research studies aimed at improving the legislation on the selection and appointment of judges, as well as on ensuring openness and transparency of the judiciary activities.

Thus, the study "Selection Mechanisms, Recommendations and Appointments (Elections) for the Position of Judges" was conducted, which analyzed national legislation and law enforcement practice of foreign countries in terms of selection mechanisms, recommendations and appointments (elections) for judges. In the process of analysis, the experience and selection mechanisms, recommendations and appointments for judges in France, Germany, the United States, Spain, Great Britain, Portugal and Russia were studied, the possibility of improving the selection and appointment of judges, as well as the introduction of legislative bases for appointing judges indefinitely after the successful completion of the first five-year term of office, etc. was considered.

In order to improve legislation in this area, foreign experience and practice are actively studied.

For example, in April 2016, a trip of the head of the Secretariat of the Commission to the Republic of Korea was organized, where the activities of the judicial system, selection and appointment of judges, terms of office and ethical conduct of judges, disciplinary responsibility were examined.

Together with the Research center under the Supreme Court, Chamber of Advocates and Regional Dialogue with the participation of judges of the Supreme Court of Massachusetts R. Cordy (USA) and attorney W. Leahy (USA) on September 17 and 21, 2015 in the cities of Samarkand and Bukhara, was held an international seminar on "Development of ethical behavior of judges and lawyers: experience of Uzbekistan and the United States".
Since 2015, the national information system of electronic legal proceedings "E-SUD" has been created. The courts for civil cases continue work on its implementation in the provinces. The system successfully functions in the city of Tashkent and the Tashkent region to review civil cases related to judicatory civil order (70,000 court orders were reviewed). Work is underway to start the operation of the system handling civil cases in the order of action proceedings.

After the introduction of both components into civil proceedings, the project plans to start work on the automatic system of random distribution of cases and the publication of court decisions in an impersonal form.

The information system of electronic legal proceedings made it possible to significantly reduce the number of steps for processing documents entering the courts - more than 2 times (from 56 to 25), and the number of applications filed in electronic form and applications from entrepreneurs to the commercial courts in the first half of the year exceeded 20 thousand documents.

On the website www.lex.uz, the section "Judicial Practice" was created, in which resolutions of plenums of the Supreme Court and the Supreme Commercial court of the Republic of Uzbekistan on explanations on the application of legislation and materials of the generalization of judicial practice are published. Currently, the software is being developed to place texts of judicial acts in certain categories of cases (in extracts). The number of permanently connected users is about 50,000. Daily, more than 10,000 people use the database.

Despite the fact that the right to initiate cases on the disciplinary responsibility of judges belongs to the chairmen of the courts (provincial, republican level), final decisions are made by the relevant qualification collegium. For example, in the first half of 2016, 120 cases on disciplinary liability of judges were instituted, of which 55 cases (45.8%) were terminated by the proceedings without disciplining judges.

Assessment of Progress – 17th Plenary Meeting: PROGRESS

The information provided is more about preparatory activities, discussions and research than practical steps to implement the recommendations.

At the same time, there is information on some steps aimed at ensuring open access to court decisions. In particular, it is pointed out that software is being developed to place texts of judicial acts in separate categories of cases on the site www.lex.uz.

In general, progress on the implementation of the recommendation is rather insignificant.

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Government report:

The Actions Strategy provides for the expansion of guarantees for the reliable protection of citizens' rights and freedoms, improving their access to justice, the effectiveness and quality of the judiciary, further improving the system of selecting candidates and appointing judges.

The Decree of the President of the Republic of Uzbekistan "On Measures to Radically Improve the Structure and Efficiency of the Judicial System of the Republic of Uzbekistan" No. УП-4966 was adopted of February 21, 2017.

The Supreme Court and the Supreme Commercial court of the Republic of Uzbekistan are united
in a single supreme body of judicial power in the sphere of civil, criminal, administrative and economic legal proceedings - the Supreme Court of the Republic of Uzbekistan. This reform is aimed at eliminating duplication of functions of management of the judicial system and the formation of a single judicial practice.

Of particular importance is the formation of a new system of courts authorized to examine disputes arising from public legal relations, as well as cases of administrative offences. Since March 2017, cases have been reviewed by administrative courts. With a view to further improving the system for ensuring the protection of the rights of business entities, the commercial courts of the Republic of Karakalpakstan, provinces and the city of Tashkent have been transformed into appropriate economic courts. At the same time, taking into account the consistent increase in the country's economic potential and the number of business entities, inter-district, district (city) economic courts have been established. In general, the deployment of the created territory economic and administrative courts will increase the level of accessibility of judicial protection to citizens residing in remote regions, as well as entrepreneurs.

It is also important to transfer the military courts staffing from the Armed Forces of the Republic of Uzbekistan to the Supreme Court system. The entry of military judges into the Ministry of Defense did not fully correspond to the fundamental principles of the independence of the judiciary, the organization of its activities, since this ministry is an executive authority.

To increase the effectiveness of the courts and the preparation of a judicial personnel reserve, the Decree provides for the introduction in the structure of courts of senior assistant and assistant to the judge.

In accordance with the Decree and international standards, the Higher Qualification Commission ceased its operations and the Supreme Judicial Council was formed, responsible for the formation of highly qualified judiciary.

The Supreme Judicial Council implements assistance in ensuring the observance of the constitutional principle of independence of the judiciary. The Supreme Judicial Council includes the Chairman of the Council appointed by the Senate on the proposal of the President of the Republic of Uzbekistan and 20 members approved by the President of the Republic of Uzbekistan from among the judges who make up the majority of its membership, as well as representatives of law enforcement bodies, civil society institutions and qualified law professionals. At the same time, 13 members of the Supreme Judicial Council carry out their activities on a permanent basis, the remaining 8 members on a voluntary basis.

The Supreme Judicial Council is entrusted with the task of forming a judiciary on the basis of an open and transparent competitive selection of candidates for the positions of judges from among the most qualified specialists, taking measures to prevent violation of immunity of judges and interference in their activities in the administration of justice, organizing training for candidates and judges, establishing a dialogue with the public.

Supreme Judicial Council is the authority, in agreement with the President of the Republic of Uzbekistan, to appoint and dismiss judges, except for judges of the Constitutional Court, the Supreme Court of the Republic of Uzbekistan, chairmen and vice-chairmen of the Military Court of the Republic of Uzbekistan, courts of the Republic of Karakalpakstan, provinces and Tashkent city.


http://lex.uz/pages/getpage.aspx?lact_id=3162142&query=%D0%88%D0%B7%D0%BC%D0%B5%D0%BD%D0%B5%D0%BD%D0%B8%D0%B9%20%D0%BF%D0%BE%D0%B8%20%D0%BD%0D%BA%0D%BD%20%D0%AD%0D%BD%0D%85%0D%91%0D%BF%0D%83%0D%B1%0D%88%0D%84%0D%82%0D%97%20%0D%BA%0D%BE%0D%BD%20%0D%AD%0D%85%0D%81%0D%BF%0D%83%0D%B1%0D%88%0D%8A%0D%88%0D%A3

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procedure for appointing or electing judges for the initial five-year period term, another ten-year term and the subsequent indefinite period of tenure.

In order to implement a systematic analysis of judicial practice, to prepare proposals for its improvement, the Research Center for Democratization and Liberalization of Judicial Legislation and Ensuring the Independence of the Judiciary under the Supreme Court of the Republic of Uzbekistan is being transformed into the Research Center for the Study of Problems of Justice under the Supreme Judicial Council.

The judicial collegium for administrative cases of the Supreme Court of the Republic of Uzbekistan, the administrative courts of the Republic of Karakalpakstan, the provinces and the city of Tashkent, the district (city) administrative courts are formed. They are called upon to ensure the implementation of the constitutional guarantee of the citizens' rights to appeal to the court illegal actions (inaction) of state bodies and their officials.

In order to comply with the principle of the independence of the judiciary, the independent resolution of the issues of material, technical and financial support for the courts, the Decree established the Department for Ensuring the Operation of Courts under the Supreme Court of the Republic of Uzbekistan, which is entrusted with the task of organizing logistical and financial support for the courts, creating proper conditions for activity of courts, improvement of working conditions, material and social security of judges and courts staff.

Special attention is paid to the introduction of information and communication technologies in the activities of the courts, which is aimed at improving the efficiency of the judicial system and the level of people's access to justice. In accordance with the point 43 of the State Program, measures are envisaged to increase the effectiveness and transparency of the activities of the courts in the administration of justice, including by ensuring the general availability of judicial decisions, the creation of databases and databanks of court decisions and their posting on official websites of the judiciary.

In order to increase the effectiveness and openness of the courts' activities in the administration of justice by ensuring the general availability of the judgments delivered, as well as the creation of databases and databanks of court decisions, the Provisions on the Procedure for Placing economic court Decisions on the Official Website were developed, approved by the Presidium of the Supreme Commercial court of the Republic Uzbekistan on February 23, 2017 for the number of R-30. As part of the implementation of the above Provisions, a program component has been developed to ensure the order of publication of decisions of economic courts. Judicial decisions are published in extracts on Lex.uz.

By the end of 2017, it is planned to prepare appropriate proposals to include in the above program component for publishing decisions of courts in criminal, civil and administrative cases of impersonal judicial acts.

**Assessment of Progress - 18th Plenary Meeting: SIGNIFICANT PROGRESS**

First of all, progress is to be noted in the implementation of judicial reform. In April 2017, amendments were introduced to the Constitution, which provided for the creation of administrative courts, High Commercial and Supreme Courts, and the establishment of the procedure for appointing or electing judges on the basis of competitive selection.

The Supreme Judicial Council was also created, which has the task of forming a judiciary on the
basis of an open and transparent competitive selection of candidates for the positions of judges from among the most qualified specialists, taking measures to prevent violation of immunity of judges and interference in their activities in the administration of justice, organizing training for candidates and judges, establishing a dialogue with the public. The very nature of the commission, where there is a majority of judges, has changed.

The Department for Ensuring the Operation of Courts under the Supreme Court of the Republic of Uzbekistan has been created, and has the task of organizing logistical and financial support for the courts, creating proper conditions for the activity of the courts, and improving the working conditions, and material and social security of judges and court staff.

Since February 2017, extracts of the decisions of economic courts have been published on Lex.uz. By the end of 2017, it is planned to prepare appropriate proposals for inclusion in the aforementioned program component for the publication of the anonymized rulings of criminal, civil and administrative courts.

At the same time, it is not possible to fully analyze the text of the Decree at this stage, and this will be done during the next monitoring round. In addition, during the bilateral meeting, we were informed that the powers of the Chief Justice to initiate disciplinary cases against judges had been removed (and are now exercised by the Supreme Judicial Council). Information was also provided on the introduction into legislation of the automatic random assignment of cases as of January 2018.

Accordingly, we can note significant progress on Recommendation 22.

**Recommendation 23. Business Integrity**

*Encourage private sector entities to adopt adequate internal control systems, including codes of business conduct and other anti-corruption compliance measures.*

*Involve private enterprises and the business sector as a whole in a dialogue with the State on simplification of business regulation and other measures to improve the business climate and prevent corruption in the country.*

**17th ACN Plenary Meeting, September 2016**

*Government report:*

The Chamber of Commerce and Industry (CCI) of Uzbekistan in cooperation with business entities continues to implement measures to ensure the organization of appropriate internal control mechanisms at enterprises of the non-state sector.

In particular, the CCI Executive Committee approved the Framework Code of Business Ethics. This code provides for the establishment of standards of conduct, the observance of which is required from persons engaged in entrepreneurial activities, provides practical guidance on resolving potential ethical and legal problems. The implementation of the provisions of this code is a prerequisite for the membership of the business entity in the CCI.

At the legislative level, measures have been taken to ensure the organization of appropriate internal control mechanisms at private sector enterprises.

Thus, Articles 11 and 21 of the Law of the Republic of Uzbekistan "On Accounting", adopted in a new version (No. 3PY-404 of April 13, 2016) provide for the organization and implementation of internal control by accounting entities. The head of the accounting entity is obliged to ensure the
order of internal control (Article 11). The process of introducing an internal control system into the activities of economic entities has begun.

The Code of Corporate Governance (hereinafter - the Code) was approved by the Commission on increasing the efficiency of joint stock companies and improving the corporate governance system on December 31, 2015 (Minutes No. 02-02/1-187 of February 11, 2016). The Code is of a recommendatory nature for joint-stock companies (JSC), when adopting mandatory for posting on the website. The development of internal documents by the joint-stock companies is envisaged, such as the Provisions on the Information Policy, the Provisions on Internal Control, the Provisions on Dividend Policy, the Provisions on the Procedure for Action in the Conflict of Interests, and it is recommended to make additions to the charter that arise in connection with the implementation of the Code.

The local state authorities and institutions are instructed to organize the introduction of the Code in JSC with a predominant share of the state in their authorized capital in which they are shareholders. An independent evaluation of the corporate governance system in JSC is carried out on the basis of a questionnaire approved by the State Committee for Assistance to Privatized Enterprises and Development of Competition of the Republic of Uzbekistan (State Committee for APEDC) and the Scientific and Educational Center for Corporate Governance.

In order to provide practical assistance to JSC, as well as the quality implementation of the recommendations of the Corporate Governance Code in their activities, the Headquarters and a hot line were established in the State Committee for APEDC to assist in the implementation of JSC the recommendations of the Corporate Governance Code.

Results of activities in this area were discussed on July 16, 2016 at an expanded meeting of the board of the State Committee for APEDC, which was devoted to the results of the main activities for the first half of 2016. Out of 412 JSCs with a predominant share of the state or economic management bodies, in more than 360 JSCs the issue of introducing the Code was considered at general meetings of shareholders.

As part of reforming this sphere, the International Financial Reporting Standards (hereinafter referred to as IFRS) and the International Standards on Auditing (hereinafter referred to as ISA) are phased in the practice of joint-stock companies managing. The general methodological bases of accounting and auditing are reviewed and brought into line with the world practice. Qualitative training and retraining of personnel is provided on the basis of the training program developed in accordance with the requirements of IFRS and ISA. On a regular basis, methodological assistance is provided to business entities in understanding and implementing international financial reporting standards and international standards on auditing. The Ministry of Finance in cooperation with the Chamber of Auditors of Uzbekistan approved the Guidelines for joint-stock companies to publish annual financial statements and conduct of its external audit in accordance with International Standards on Auditing and International Financial Reporting Standards (№№ 70, 72 of July 20, 2015), which are posted on the website of the Ministry of Finance.

Active participation in this process is taken by non-governmental non-profit organizations - the National Association of Accountants and Auditors, the Chamber of Auditors, the Federation of Accountants of Uzbekistan.

In all commercial banks, pawnshops and microcredit organizations, there are internal control

81 https://gkk.uz/ru/devatelnost/direction/corporativ/kodeks-korporativnogo-upravleniya
services, whose activities are monitored and supervised in accordance with the law. Along with this, in May-June of the year all commercial banks of the Republic adopted updated versions of the Rules for the Ethics of Banking Officers.

**Assessment of Progress – 17th Plenary Meeting: PROGRESS**

The Commission on increasing the efficiency of joint stock companies and improving the corporate governance system approved the Code of Corporate Governance, which is actively promoted, despite its recommendatory nature. The local state authorities and administration bodies are instructed to organize the introduction of the Code into JSCs with the dominant state share in the authorized capital in which they are shareholders.

**18th ACN Plenary Meeting, September 2017**

**Government report:**

In the course of an open dialogue between the country's leadership and the people, taking into account the problems and proposals raised by business entities and the results of the studies, a Resolution of the President of the Republic of Uzbekistan "On Additional Measures to Improve the Mechanisms of Providing Public Services to Entrepreneurs" was adopted (No. ПП-2750 of 01.02.2017) 84.

In order to increase the involvement of private enterprises and the business sector as a whole in a dialogue with the state on simplification of business regulation and other measures aimed at improving the business climate and preventing corruption in the country and in order to ensure the effective organization of the work of the Chamber of Commerce and Industry of the Republic Uzbekistan, its organizational structure, executive committee, territorial offices in the Republic of Karakalpakstan, provinces and the city of Tashkent, as well as the structure of district and city departments of the Centers for the Promotion of Entrepreneurship were updated 85.

At the same time, the Chamber of Commerce and Industry, the National Television and Radio Company of Uzbekistan, together with the Prosecutor General's Office, the State Committee for APEDC, as well as other interested ministries and departments, are instructed to adopt an annually updated joint media plan that provides broad coverage through television and radio channels of the reforms being carried out in the country to create a favorable business environment, to ensure reliable protection of the rights and legitimate interests of the existing opportunities for the creation and development of their own business, including the family, to promote products to foreign markets, attract foreign investment, as well as to increase the responsibility of heads of the local state authorities and administration bodies, citizens' self-government bodies for ensuring the rights and legitimate interests of business entities.

Effective economic incentives for active development of audit have been created, the system of issuing licenses for auditing has been substantially simplified and liberalized.

A number of changes and additions were made to the Provision on the procedure for issuing licenses for auditing. Effective economic incentives for active development of audit have been created, the system of issuing licenses for auditing has been substantially simplified and liberalized.

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84 Single centers for rendering public services to business entities on the principle of "one-stop-shop", operating in districts and cities, have been transferred from the structure of the khokimiyats of districts (cities) to the Ministry of Justice of the Republic of Uzbekistan. The Ministry of Justice is defined as an authorized body that exercises general management of the activities of one-stop-shop centers, monitoring compliance with the legislation on rendering state services to business entities. The implementation of state registration of all business entities, with the exception of banks and credit bureaus, their branches and representative offices, is entrusted to "one-stop-shop" centers. The objective is the creation of a unified system of state registration and registration of business entities to replace the existing disparate system. http://www.press-service.uz/ru/lists/view/217

85 Decree of the President of the Republic of Uzbekistan "On measures to radically improve the system of state protection of legitimate business interests and further development of entrepreneurial activities" No. УП-5087 of June 19, 2017; Resolution of the President of the Republic of Uzbekistan No. ПП-3068 of June 19, 2017 "On improving the organization of the Chamber of Commerce and Industry of the Republic of Uzbekistan"// http://www.press-service.uz/ru/lists/view/663
licenses to audit organizations for the implementation of audit activities, approved by the Regulation of the Government of the Republic of Uzbekistan No. 365 of September 22, 2000. A number of normative and legal acts have been adopted, such as the Decree of the President of the Republic of Uzbekistan "On measures to further expand and simplify the microcredit system for small and private entrepreneurship" No. ПП-2746 of January 31, 2017, the Resolution of the President of the Republic of Uzbekistan "On additional measures to improve the mechanisms of rendering state services to business entities" No. ПП-2750 of February 1, 2017.

Assessment of Progress - 18th Plenary Meeting: SIGNIFICANT PROGRESS

The government provided information on simplifying the procedure for issuing licenses to auditing organizations. Within the framework of additional consultations during the plenary session, the National Coordinator also provided information on the fact that work is underway to simplify licensing for other business sectors.

In addition, a number of normative and legal acts have been adopted that simplify the microcredit system, and provide for the state registration of all business entities, except for banks and credit bureaus, their branches and representative offices, through “one-stop-shop” centers.

Also, in accordance with the Presidential Decree of June 2017, the powers and functions of the Chamber of Commerce and Industry of Uzbekistan were improved. In particular, The Chamber of Commerce and Industry is the body responsible for issuing opinions on draft legal and regulatory instruments with a view to assessing their impact on entrepreneurial activity. Also, drafts of legal and regulatory instruments on issues with a direct or indirect impact on the implementation of entrepreneurial activities, are subject to mandatory approval by the Chamber. In addition, the presence of the Chamber is obligatory in public advisory councils formed by State bodies, including supervisory and law enforcement bodies.

In the course of additional consultations during the plenary session, the National Coordinator informed the experts of the establishment of Ombudsman for the Protection of the Rights and Legal Interests of Business Entities under the President (Business Ombudsman) in May 2017. The main aim in creating the Business Ombudsman is to strengthen the protection of the rights and legal interests of businesses, and to prevent the unscrupulous interference of State bodies in business.