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MEASURES TO COMBAT AND PREVENT CORRUPTION CRIMES: FOREIGN EXPERIENCE AND COMPARATIVE LEGAL ANALYSIS

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Abstract

This article examines the experience of Northern European countries in combating and preventing corruption-related crimes—specifically regarding pre-investigation procedures and factors that deter the commission of such offenses—and analyzes the measures implemented in this area in the Republic of Uzbekistan.

Keywords: Corruption crimes, legislation, pre-investigation checks, criminal offenses, bribery-related crimes, anti-corruption bodies, Criminal Procedure Code, corruption-prone factors, injustice, law enforcement agencies

Introduction

When it comes to fighting corruption crimes, the following words of of Jēkabs Straume *(the Director of the Corruption Prevention and Combating Bureau (KNAB) of the Republic of Latvia)* always come to mind:

"The fight against corruption is not just about the number of arrests; it is about creating conditions where society itself avoids all violations."

It follows that simply imprisoning the corrupt elements of society is insufficient if a large portion of the population has become accustomed to corruption. Instead, in such situations, it is necessary to re-educate society, prepare honest personnel for the future, and foster an environment where people are repulsed by corrupt acts.

In recent years, the state policy on combating corruption in our country has been notable for the implementation of preventive measures aimed not at combating the consequences of corruption, but at preventing it.

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For this, it is necessary to study the foreign experience, to consider important areas of the legislation and society of countries with a low level of corruption, and to implement the appropriate aspects, taking into account the national mentality.

Analysis of the fight against corruption crimes in Northern European countries

The study of international practices in combating corruption and preventing corruption crimes, as well as the comparative legal analysis of foreign and national legislation, focuses on the countries of the European Union, particularly the Nordic countries. This is because Nordic countries traditionally have low levels of corruption. This is confirmed by the annual research of Transparency International, the international anti-corruption organization. Specifically, according to the monitoring results for 2024, Denmark ranked first with 90 points, Finland second with 88 points, Norway fifth with 81 points, and Sweden eighth with 80 points.

In particular, Denmark's practice in combating corruption crimes and preventing them is noteworthy. Denmark's anti-corruption policy focuses on preventive measures by creating a culture of zero tolerance towards any form of corruption. An additional feature of this policy is that it targets not only the public sector but also the private sector to eliminate corruption crimes effectively. In this regard, the Danish International Development Agency and the Danish Chamber of Commerce play significant roles.

Denmark pays great attention to organizing pre-investigation checks and investigations of corruption crimes in a maximal and effective manner. Interestingly, there is no separate specialized agency for investigating corruption crimes; instead, any citizen is allowed to report a private or public organization for inspection by law enforcement agencies either in their own name or anonymously.

When studying Sweden's practices in this field, I was particularly interested in the activities of the **Institute Against Bribery (Institutet mot mutor)**, a business organization that builds public trust by combating corruption and promoting ethical conduct among all participants in society. The institute works to spread knowledge and information about what constitutes corruption and how to prevent it. This is vital because much of the corruption in society is linked to the business sector.

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In addition, Sweden's **Criminal Code (Chapter 10)** sets out clear provisions regarding bribery-related crimes. According to the law, actions such as offering, promising, proposing, receiving, or demanding improper rewards for performing duties are considered criminal offenses. These provisions apply equally to both the public and private sectors.

During the 1990s, the Baltic states, as former members of the Soviet Union, had relatively high levels of corruption. For example, in 1998, Latvia ranked 71st out of 85 countries, just above Kenya and Uganda. However, by the end of 2015, Latvia rose to the 38th position. Currently, Latvia remains in that position, while Lithuania has risen to 32nd, and Estonia to 13th. This progress reflects substantial efforts in these countries to combat and prevent corruption.

Three notable measures can be cited as examples of these efforts:

First, Latvia initially focused on implementing **anti-corruption education** as a transparency tool. This was supported by the **PHARE program** – a European Union initiative designed to assist Eastern European countries, originally launched for Poland and Hungary's economic recovery. In the Baltic states, the development of anti-corruption education at both university and school levels serves as a model. With the political evolution of Central and Eastern Europe, PHARE's scope expanded, along with its budget. Through EU support, several programs were launched in candidate countries to promote judicial transparency and public trust, especially among young people. These programs included the publication of court decisions, use of evidence in trials, and access to judicial systems via the internet. Training cycles included lectures, discussions, role-playing court simulations, and analysis. Furthermore, in schools, initiatives were introduced to promote integrity, raise awareness about the harms of corruption, and prepare students for civic oversight. Competitions were organized for students from grades 1 to 12. For instance, 1st–4th graders listened to stories about dishonesty and discussed them, then submitted their thoughts for review. Older students selected one of 14 real-life scenarios, analyzed them from their perspective, and submitted their entries under the slogan *"Together Against Corruption."*

Second, the main factor in fighting corruption is the presence of **strong political will**. In Latvia, this became a state policy priority in the late 1990s and early 2000s. During the transition economy phase, a roadmap based on international standards

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was developed. In 2002, Latvia joined the OECD Convention on Combating Bribery of Foreign Public Officials and established cooperation with the OECD's Working Group on Bribery in International Business Transactions. This aimed to determine practical methods for applying OECD anti-corruption tools.

In 2001, Latvia restructured two key councils under the direct leadership of the Prime Minister, forming the **Council for Corruption and Crime Prevention**.

In 2002, the **Corruption Prevention and Combating Bureau (KNAB)** was established. These moves institutionalized political will. Notably, since 1997, Latvia already had various anti-corruption bodies and a law "On Combating Corruption" adopted in 1995.

Significant legislative reforms followed, such as:

- The Law on the Financing of Political Parties
- The Law on the Anti-Corruption Bureau
- The Law on Prevention of Conflict of Interest in Activities of Public Officials
- The Law on Initial Property Declarations
- The Law on Public Procurement
- The Law on Public Service Legal presumptions and updates to the **Criminal Procedure Code** were also introduced to improve the investigation process.

Third, personnel policy improvements included **open competitions for leadership positions** and clearly defined rules for appointments and dismissals. For example, the head of KNAB is appointed by the **Parliament (Saeima)** upon the proposal of the **Cabinet of Ministers**, which may organize an open selection. The nominee must meet all legal requirements. The Bureau Head has full authority to appoint or dismiss all officials within the Bureau, including deputies. In cases of dismissal, a special commission is formed, chaired by the **Prosecutor General** or a senior prosecutor.

The state of fighting corruption in Central Asia

According to the 2024 monitoring results of **Transparency International**, the situation in **Central Asian countries** is as follows:

- **Kazakhstan** – 40 points, ranked 88th
- **Uzbekistan** – 32 points, ranked 121st
- **Kyrgyzstan** – 25 points, ranked 146th
- **Tajikistan** – 19 points, ranked 164th

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• **Turkmenistan** – 17 points, ranked 165th

According to the **Anti-Corruption Agency of the Republic of Uzbekistan**, a decrease in corruption-related crimes was achieved in 2024. In particular, 5,716 crimes were committed by 6,898 individuals across the republic. Compared to 2023, corruption crimes decreased in sectors such as gas supply, water management, local governance, and banking.

The agency conducted anti-corruption legal reviews of **327 draft legal acts**, and in 71% of those (233 drafts), **676 corruption-prone factors** were identified and measures were taken to eliminate them.

In 2024, four joint projects were launched in cooperation with international organizations, and the **draft of Uzbekistan's National Anti-Corruption Strategy until 2030** was developed.

As part of the **Istanbul Anti-Corruption Action Plan** of the OECD's Network for Fighting Corruption in Eastern Europe and Central Asia, the **5th round of monitoring** was conducted. Uzbekistan's anti-corruption policy received a **score of 83.6**, the highest among Central Asian countries.

Conclusion

In the European Union, one can feel freedom, justice, and the fairness among people within society. It is evident that people approach their work with a sense of conscience. Without a moral compass, individuals contribute to injustice, and **where there is injustice, corruption thrives**. And where corruption thrives, **economic development becomes impossible**.

The **President of the Republic of Uzbekistan, Shavkat Mirziyoyev**, has emphasized in his speeches:

"Justice, justice, and once again – justice."

If government officials uphold justice and citizens maintain their conscience, there will be no need to fight corruption – because **corruption will not exist in such a society**.

So, there is no need to reinvent the wheel. I believe that all three measures I mentioned above, based on the PHARE program, should be implemented in Uzbekistan, and the necessary legal foundations should be established for them, as these steps are essential for the future fight against corruption.