

## **FIGHT AGAINST CORRUPTION IN SOME FOREIGN COUNTRIES AND THE ROLE OF THE "COMPLIANCE-CONTROL" SYSTEM IN IT**

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The legal basis of the "compliance control" system was formed on the basis of the anti-corruption norms, and today it serves as a programmatic action in the continuation of the adoption of other normative acts. Some developed countries decided to fight against corruption hundreds of years ago. In Great Britain, in 1889, the law "On Combating Bribery in Public Offices" and on August 4, 1906 "On Combating Corruption" was adopted. In 1883, the Civil Service Pendleton Act was passed in the USA. 1906 Internal security (compliance service) specializing in combating corruption in the private sector is established in the USA for the first time. In 1970, the Law "On Combating Organized Crime" (RICO) was adopted. In 1977, the "Foreign Corrupt Practices Act" (FCPA-Foreign Corrupt Practices Act) was adopted in this country. The law stipulates the establishment of a compliance service in corporations. On July 30, 2002, the Sarbanes-Oxley Act (SOX) was passed, requiring all foreign companies listed on the US stock exchange to establish anti-corruption compliance services in their corporate governance system. 1 In Singapore, in 1960, the Anti-Corruption Act was passed. In the middle of the 20th century, Hong Kong was "sunk in the quagmire" of corruption (94% of state authorities were corrupt). 1 How do the countries of the world fight against corruption? Which way is Uzbekistan on? Boboqul Toshev, head of the department of the Center for the Professional Development of Lawyers, doctor of legal sciences. In 1974, M.Murray created an independent anti-corruption commission that is not subordinate to any

state body. Also, local mass media were fully provided with the freedom to publish any news related to corruption and conduct journalistic inquiries. On October 31, 2003, the "Anti-Corruption Convention" was adopted by the United Nations Organization as a result of the study of the effective activities of the developed countries related to the fight against corruption and the relevant legal documents and the activities of their competent bodies. This document consists of an introduction and 8 chapters, 71 articles. The adoption of the Convention clearly reflects the boldness of the international community to prevent and eradicate corruption. This convention strictly warns that if the corrupt persons do not earn the trust of the society, then no one will tolerate their actions. The Convention affirms that virtues such as honesty, respect for the rule of law, accountability and transparency are important in promoting development and improving our world for the well-being of all. covers a number of standards, measures and norms that can be used by all countries in order to strengthen legal and regulatory procedures in combating. The document calls for appropriate preventive and legal action to criminalize the most common forms of corruption in both the public and private sectors.

There is a new important provision in the Convention, which requires the member states of the WTO to return the funds obtained through corruption to the country from which they were stolen. In 2003, the Istanbul Action Program against Corruption was adopted by the Organization for Economic Development and Cooperation for the countries of Eastern Europe and Central Asia. The Republic of Uzbekistan joined it in 2010. By 2016, the 3rd monitoring mission had studied the situation and made recommendations<sup>1</sup>. From the above analytical materials, the following opinions are formed: the fight against corruption at the international level is regulated not only by normative documents, but on the basis of many years of experience in international relations. Another side of the issue: since the priority of

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<sup>1</sup> Raximjonova, N. . (2023). AYRIM XORIJIY DAVLATLARDA KORRUPSIYAGA QARSHI KURASHISH VA UNDA "KOMPLAENS-NAZORAT" TIZIMINING O'RNI. *Евразийский журнал права, финансов и прикладных наук*, 3(12), 89–95. извлечено от <https://inacademy.uz/index.php/EJLFAS/article/view/24715>

international documents is recognized in the local documents of many developed and developing countries, understanding the essence and concepts of international normative acts is also important in modern trends. According to today's international experience, two widely used models of the implementation of the "compliance control" system are used: First, the activities of the company and organization are focused only on the organization in accordance with the established existing laws and regulations, and the implementation of the compliance service is based on minimum rules. is limited to; Second, the organization of the compliance service is regulated by the state and is based on the recommendations of international organizations (recommendations of the Basel Bank Committee, Wolfsberg Group) in the assessment of corruption risks, and in this model the status, function, and scope of the compliance service are based on more international standards and recommendations<sup>1</sup>.

1. Implementation of compliance service by companies and organizations is carried out in 4 stages: 1st stage: analysis of the current situation of the compliance control service in the fight against corruption; 2nd stage: development or improvement of anti-corruption measures and control mechanisms; 3rd stage : the implementation of the "compliance control" service to fight against corruption; Step 4: the implementation of anti-corruption "compliance control" procedures includes such processes as the evaluation of the effectiveness of the "compliance control" procedures. 2 Standards and recommendations for the implementation of the compliance control system given: Article 12 "Private Sector", Article 21 "Bribery in the Private Sector", Article 22 "Theft of Property in the Private Sector", Article 39 "National Authorities and Articles such as "cooperation between the private sector" contain recommendations on identifying corruption risks and implementing a number of preventive measures to prevent them. International standards and documents adopted by the Organization for Economic Cooperation and Development (OECD) are of particular importance. It is the Convention of the Organization for Economic

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<sup>1</sup> Raximjonova, N. . (2023). AYRIM XORIJIY DAVLATLARDA KORRUPSIYAGA QARSHI KURASHISH VA UNDA "KOMPLAENS-NAZORAT" TIZIMINING O'RNI. *Евразийский журнал права, финансов и прикладных наук*, 3(12), 89–95. извлечено от <https://inacademy.uz/index.php/EJLFAS/article/view/24715>

Cooperation and Development "On Combating Bribery of Foreign Officials in International Commercial Transactions" adopted on November 21, 1997.

At this point, it is possible to cite the "Management Guidelines for Internal Control, Ethics and Compliance" which includes the best practices and experiences related to the compliance service. The Basel Committee on Banking Supervision's document on banking supervision adopted in April 2005 (in a new version) is "The Basel Committee on Banking Supervision".<sup>1</sup> This experience is distinguished by its effectiveness and it mainly corresponds to the practice of countries with great economic potential, such as the United States, Great Britain, Germany, and China. It is also important that in most foreign countries, the compliance control system is regulated by a separate legal document. For example, in the USA "Foreign Corrupt Practices Act, 1977", "Sarbanes-Oxley Act, 2002", "Dodd-Frank Act" , 2010). In particular, the Law "On Slovenian sovereign holding Act, 2014" adopted on April 26, 2014 defines the status and powers of the compliance control system. The peculiarity of the law is that it addresses the issue of personnel in the compliance service (compliance officer) and provides a clear rule and procedure for informing about violations related to corruption within the company (whistleblowing policy)<sup>1</sup>. From the above, it can be concluded that Today, not only in one country, but also in the international arena, many aspects of "compliance control", which is considered as an effective mechanism to fight against corruption, have been formed over the years. It is undoubtedly useful to take into account the above-mentioned provisions of international law in the formalization process of "compliance-control", which is introduced in Uzbekistan and other elements of which are being introduced. In this section, we will talk about the documents that are in force in international legal relations, and in the next section, we will talk about the existing system in the developed countries of the world and its practical analysis. The specific policy of combating corruption in foreign countries and the role of the "compliance-control"

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<sup>1</sup> Nargizakhon Rakhimjonova. (2023). THE CONCEPT OF CORRUPTION, THE FACTORS THAT CAUSE IT. *Galaxy International Interdisciplinary Research Journal*, 11(12), 1235–1242. Retrieved from <https://www.giirj.com/index.php/giirj/article/view/6054>

system in it. Today's developed trend requires taking into account the international arena and taking into account its practical recommendations. It means that the countries that have been using modern models in their systems for many years have enough experience regarding its positive and negative aspects. By studying and analyzing these experiences, it is of great importance in the processes of its introduction in the local regulatory and legal policy. Due to the fact that the issue of fighting corruption is gaining a transnational character, we can divide the regulatory norms in the fight against it into 3 parts in a unique way: (more precisely, 3 elements): International acts; Codes, internal documents of associations and companies; (for example, internal rules of etiquette) In this chapter, we intend to dwell on the organizations and governments in the international arena that he adopted. The ISO 37001 standard was introduced in Malaysia by the government led by Prime Minister Tun Dr Mahathir Mohamad. The new system has produced positive results in both the public sector and the private sector.

The former head of Malaysia's anti-corruption campaign said that "the people's and the government's serious measures against corruption have increased from 59.8 percent in 2016 to 70.8 percent." He also noted that Malaysia has shown improvement in its performance in a number of important international studies and indices (New Straits Times, 2019). Not just Malaysia. National standards bodies in Peru, Singapore and China (Shenzhen Institute of Standards and Technology) have adopted the ISO 37001 standard. In Italy, the ISO 37001 accreditation scheme was developed by Accredia; In Great Britain, the Accreditation Service of the United Kingdom has implemented the ISO 37001 initial program to develop an accreditation scheme. In the UAE, the International Accreditation Center (Accreditation Center) is developing the ISO 37001 accreditation scheme. Microsoft and Walmart have also announced their intention to obtain ISO 37001 certification. Today, organizations specializing in the fight against corruption are operating in more than 170 countries of the world. One of the first specialized anti-corruption bodies was the Singapore Corruption Investigation Bureau, established in 1952, later such bodies were the

Central Vigilance Committee in India (1964), the Anti-Corruption Commission in Azerbaijan (2004), the Anti-Corruption Council in Georgia (2008), established in the Republic of Korea in the form of the Independent Commission on Combating Corruption and Civil Rights (2008).<sup>1</sup> Based on the above, we will additionally analyze the "compliance-control" system of some countries in the fight against corruption: Brazil<sup>2</sup> Compare the situation in the country of Brazil "compliance-control" system against corruption has been introduced in large companies. According to the law in Brazil adopted on August 1, 2013, from January 30, 2014, the "compliance control" system was widely used as an anti-corruption system in state companies<sup>2</sup>. The adoption of this law determines the liability of legal entities for corrupt actions directed against its policy in the internal and external territory of the state. This law applies to any organization registered in Brazil. This was confirmed by paragraph 20 of the Presidential Decree adopted in the Republic of Uzbekistan on February 3, 2021, which approved the proposal of the anti-corruption agency to implement the "E-Anticorruption" project. That is, as a result of consideration of suggestions for elimination of corruption factors introduced by state bodies and organizations, in-depth analysis of sectors and sectors and public surveys, formation of the "Electronic Register of Relationships Prone to Corruption" and In accordance with the "Electronic register of relationships prone to corruption", experts and civil society have proposed proposals to eliminate each corrupt factor primarily through means such as digitalization (electronic queue, auction and other modern methods), ensuring openness, public control. development after extensive discussion among representatives of institutions; Proposals such as evaluating and announcing the effectiveness of the implemented measures and their impact on the elimination of corruption factors were accepted and set as a task.

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<sup>1</sup> Gulchekhra Tulaganova, Nargizakhon Rakhimjonova, & Saidmurod Nasrullaev. (2021). LIABILITY FOR MONEY LAUNDERING AND CLASSIFYING THESE TYPE OF CRIMES. *Galaxy International Interdisciplinary Research Journal*, 9(10), 676–684. Retrieved from <https://giirj.com/index.php/giirj/article/view/420>

<sup>2</sup> Nargizakhon Rakhimjonova. (2023). THE CONCEPT OF CORRUPTION, THE FACTORS THAT CAUSE IT. *Galaxy International Interdisciplinary Research Journal*, 11(12), 1235–1242. Retrieved from <https://www.giirj.com/index.php/giirj/article/view/6054>