

**UZBEKISTAN ANTI-CORRUPTION DIGEST**

## ENSURING THE RULE OF LAW AS AN IMPORTANT ANTI-CORRUPTION FACTOR

THE CONTENT AND ESSENCE OF THE RESOLUTION OF THE PRESIDENT OF THE REPUBLIC OF UZBEKISTAN PR -4951 DATED JANUARY 14, 2021 “ON MEASURES TO INTRODUCE AN EFFECTIVE MECHANISM FOR DETERMINING THE STATE OF THE RULE OF LAW IN THE REPUBLIC OF UZBEKISTAN” IS NOTED

In the Republic of Uzbekistan, the Resolution of the President of the Republic of Uzbekistan No. PR -4951 of January 14, 2021 “On measures to introduce an effective mechanism for determining the state of implementation of the rule of law in the Republic of Uzbekistan” was adopted.

The main purpose of this Resolution was to ensure the creation of effective mechanisms for compliance with the rule of law and legality in the regions. In order to achieve this goal, the Resolution outlines the need to investigate and evaluate the implementation of the adopted legislative acts and timely eliminate the identified legal gaps.

At the same time, the methodology for the formation of the Rule of Law Index by region was approved by the Resolution, in it are identified 32 indicators that reflect this Index, and which are calculated for the Republic of Karakalpakstan, regions and the city of Tashkent, as well as for districts (cities).

Based on these indicators, in the Resolution are reflected 182 criteria, of which 111 are based on statistical data and 71 on the results of sociological surveys.

It should be noted that the Index of the Rule of Law of the regions is determined on the basis of statistical data and the results of conducted sociological surveys **in certain directions**.

The first is **compliance with laws**. In this direction, attention is focused on the state of enforcement of laws and regulations in the regions, compliance with administrative procedures and ensuring the inviolability of property rights.

The second direction is **ensuring the rights and freedoms of citizens**. Cases of torture and unjustified detention by law enforcement agencies, the absence of obstacles in the exercise of the rights of the suspect, the accused and the defendant, cases of pressure on citizens and journalists who have used freedom of opinion and expression, cases of arbitrary interference in personal life, as well as the development of civil society institutions and ensuring basic labor rights are investigated in order to analyze this direction.

In order to study the next direction – **the sphere of justice and the execution of court decisions**, the following indicators are identified: the use by the population of the possibility of restoring their rights through the courts; satisfaction of the population with the impartiality of court decisions; public perceptions of the presence of signs of corruption in judicial bodies; independence of courts from the influence of state bodies; compliance by courts with procedural deadlines; proper execution of court decisions.

The fourth direction is **law enforcement and security**, according to which an analysis is carried out on indicators that determine the level of crime in the regions, the effectiveness of crime prevention in the regions, the detection of crimes and the adoption of effective measures on them, the propensity of citizens “lynching”.

**Effective control over the activities of local executive authorities** is the fifth direction, which is indicated by such indicators as: the exercise of control over the activities of the

administration of the Kengashes of people's deputies, consideration in administrative courts of disputes related to decisions of local executive authorities, ensuring the accountability of officials of executive bodies in the field for the offences they have committed, public control over the activities of local executive authorities.

In order to fully analyze the sixth direction – **the effectiveness of combating corruption**, the resolution establishes indicators reflecting the presence of cases of abuse of official position by officials of local executive authorities, abuse of official position by law enforcement and regulatory authorities, the degree of prevalence of corruption in the social sphere and in the provision of public

services, as well as the manifestation of cases of nepotism, favoritism and localism.

The last direction is the transparency of government institutions, includes indicators that determine the openness of local government bodies, ensuring the rights of citizens to access information by local executive authorities, and citizen participation in the decision-making process at the local level, the effective use of mechanisms to appeal against the actions of officials.

In addition, in accordance with the Resolution, an automated information system "Huquq ustuvorligi" was created and put into operation, through which the Rule of Law Index in the regions is determined.

As the result of adopted Resolution, it became possible to verify the effectiveness of the execution of the adopted legal acts in the regions of the Republic of Uzbekistan. This mechanism for verifying the effectiveness of the rule of law should serve to improve civil society, ensure the protection of human rights and eliminate corruption factors by timely addressing identified legal gaps.

Ministry of Justice of the  
Republic of Uzbekistan