

GUEST

THERE IS NO SINGLE, UNIVERSAL APPROACH TO ANTI-CORRUPTION REFORM. – Khachik Harutyunyan*

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– What are the main factors inducing to accomplishment of effective fight against corruption in countries?

– The examples of successful countries come to prove a long-standing anti-corruption ‘wisdom’: The main ingredient for success is the strong political will from the top. Having in place strong anti-corruption demand side is also very important. However, the remaining ingredients depends on the local context. Challenges, problems in each country is different and diagnosis shall be different too. There is no one-size-fits-all approach in anti-corruption reforms.

For example, much has been done in Armenia in terms of anti-corruption reforms (creating Anti-corruption Committee, Corruption Prevention Commission, specialized anti-corruption judges, specialized prosecutor’s office for Asset Recovery, enhancing asset declaration system by introducing declarations of expenses and enlarging the coverage of subjects who must submit declarations) but the main ‘secret ingredient’ behind the success was and is strong political will from the side of Prime Minister. The tax and customs agencies in a very short period transformed from punitive system into business-friendly systems. In terms of Georgia, the country conducted number of reforms in police, customs and tax administrations, public services.

Another impressive example, Kingdom of Bhutan is quite fascinating and interesting sample. The locomotive of reforms there again was the leader of the country-the King. Kingdom of Bhutan has 68 points under CPI and its rank is 25th among 180 nations (quite solid position). One of the innovations of Kingdom of Bhutan is that it stipulated in its

Constitution that it is right and duty of every citizen to fight corruption.

– **International Organizations, generally bring problems that are based on conducted studies. However, they contain quite low number of solutions and directions aimed at concrete problem. Based on this, in your opinion, with which evaluating organizations we shall enlarge our cooperation.**

– Well, I would not fully agree with this question. In my opinion, the findings of the mentioned surveys are per se actions for recommendations. Let's take for example CPI of TI. We know that it is a composite index and we can quite easily track the reasons for increase or decrease of a country's score. For example, if the low score is connected with findings of Freedom House's Nations in Transit, then we can easily understand what we must change and reform.

What I really consider important is to have in place strong Civil Society which over years will establish cooperation with various international non-governmental networks such as Transparency International, UNCAC Coalition and etc. If, for example, there would be in Uzbekistan official chapter of Transparency International, then for sure one of its early research products would be National Integrity System Assessment, which is a fundamental study and shows all strengths and weaknesses of the country (not only public sector, but also private sector and civil society) in combatting corruption.

– **Fight against corruption is a process composed from elements aimed at raising legal awareness and legal culture, adoption of preventive measures and securing inevitability of punishment. If we would consider the whole anti-corruption process as 100% then in which order you would put (in percentages) elements for fighting corruption.**

- It is an interesting question. I would say:
1. 99% - inevitability of punishment.
 2. 0.5% - adoption of preventive measures.
 3. 0.5% - awareness raising.

Why I have put at first place "inevitability of punishment"? Surely, here I also assume that

punishment is not selective, but universal and without any discrimination. However, why 99% to this factor? Because this is a perfect indicator of existence of political will. In many countries, we can find very strong anti-corruption legislation, but zero enforcement. Sure, building necessary anti-corruption institutional and legislative infrastructure is extremely important, but if that infrastructure is not being enforced fairly, effectively and without any discrimination, then what is the use of it? It is the same as if one has very big library but does not read at all.

– **In recent years in the Uzbekistan has been conducted many reforms in the field of anti-corruption. From this viewpoint, can you enumerate those reforms that you consider as more conceptual?**

– I would say that the most important ones for me are the adoption of the law on combating corruption, establishment of ACA and adoption of law on public procurement.

– **Uzbekistan created Anti-Corruption Agency back in 2020 which is responsible for coordination of anti-corruption policy and running state policy in this field. Prevention of corruption, enhancement of preventive mechanisms has been set as the main direction of operation for the Agency. In which countries agencies like ours work effectively and taking into consideration the current situation in Uzbekistan, how you would characterize this path?**

– In many countries, for example, in Slovenia, France, Montenegro (to name just few). In terms of characterizing the way then I must say that in general having established prevention AC body is a safe road. Why? Because it conducts necessary preparatory work after which (or based on the accumulated success of which) multifunctional agency can be created.

– **In your opinion, whether leading international ratings/assessments on situation of corruption are capable of producing full picture in countries?**

– Let me quote Sir Winston Churchill and make analogy with this situation: "The democracy is the worst form of government - except for all the others that have been tried".

What he meant there was you may not like democracy as a form of government, but still humanity has not invented something better? In other words, what else we have?

Coming back to the question, let me draw parallels. Yes, sure, there are problems with some of the indices and the authors of these indices acknowledge that: We have what we have. However, the anti-corruption expert community constantly works on producing better indices and new indices. I believe that in 5-10 years period we will have fundamentally new and quite cohesive indices.

– What kind of aspects and measures are necessary to undertake for effective involvement of youth in anti-corruption?

– As Francis Bacon once said: “If old people could do, if youth would know”. What he wanted to stress in this saying is that youth has massive energy but the owners of wisdom are aged people who accumulated that wisdom based on own experience and learning from mistakes of others. The power of youth in bringing changes is massive. What is necessary for effective engagement of youth is first to talk on their own language. Secondly, those shall be talk with them who are role-models for them: people who are liked and trusted by youth.

– On what directions shall be the focus in terms of anti-corruption?

– When I look at the situation as an independent observer, then I see a picture with many problems and priorities. In terms of priorities, firstly, enhancement of anti-corruption institutional framework by following international hard and soft law instruments. Secondly, adoption of Anti-corruption Strategy based on international best practices and on hard and soft law instruments. Thirdly, enhancement of legislation and practice governing establishment, operation and participation of civil society (first and foremost NGO-s). In other words, enhancement of the demand side and it assumes also reforming other pieces of legislation which are connected with effective operation of civil society. Fourthly, bringing anti-corruption to regions.

Fifthly, protection of whistleblowers and reforming legislation. Sixthly, reforms aimed at enhancing independence of Judiciary. Seventhly, enforcement of legislation and sending strong message to public that punishment for corruption is inevitable. These all together, will create strong public support to anti-corruption fight and public trust towards anti-corruption reforms.