Criminalistic Prophylaxis of Corruption-Related Crimes

Jalolov Sherzod Rustamovich,
Deputy Head of the Department of Sectoral Legal Sciences,
Military-Technical Institute of the National Guard
of the Republic of Uzbekistan
Lieutenant Colonel

Abstract: This article discusses that in the process of building a society based on human rights, improving the management system, enhancing the competences and performance of officials, corruption as a social danger that is directed against the normal functioning of the state apparatus, can seriously undermine the wellbeing of society and the current importance of the work being undertaken in the fight against it also highlighted.

Key words: corruption, crime, law, criminalistic prophylaxis, official.

As combating corruption is viewed as a nationwide task in the country, consistent and regular work on eliminating and preventing corruption as well as protecting the state apparatus from corruption threats is being carried out. The President of the Republic of Uzbekistan signed a decree "On the Strategy of Actions on further development of the Republic of Uzbekistan" on February 7, 2017. The document approved the National Action Strategy on Five Priority Development Areas for 2017-2021. The state program for the implementation of the Strategy of Actions during 2017, which was declared "The year of Dialogue with the people and human interests", also specified improvement of legal and organizational mechanisms of combating corruption and improvement of the effectiveness of anti-corruption measures as priority tasks.

Together with this, a legal anti-corruption base has been established, relevant international documents have been ratified, and a number of legislative acts have been adopted. In particular, ratification of the United Nations Convention against Corruption (October 31, 2003, New York) in 2008, as well as joining the Istanbul Anti-Corruption Action Plan, adopted in 2010 by the Organization for Economic Cooperation and
Development (September 10, 2003, Istanbul) were important steps in bringing the fight against corruption to a new level.

It should be noted that in recent years, a number of important laws aimed at improving the legal mechanisms of combating corruption were adopted, including the Budget Code (in a new edition), "On prophylaxis of offenses", "On social partnership", "On openness of the activities of public authorities and administrative bodies", "On operational search activities", "On electronic government", "On internal affairs agencies", "On state security service", "About public monitoring".

At the solemn ceremony dedicated to the 24th anniversary of the adoption of the Constitution of the Republic of Uzbekistan on December 7, 2016, the President of the Republic of Uzbekistan Sh.M.Mirziyoyev said: "Corruption is another disadvantage to the development of society. In order to combat this danger, we need to take measures to implement the law "On combating corruption" in practice, which has recently been adopted by the Legislative Chamber and forwarded to the Senate. All this will contribute to the improvement of the system of reliable protection of human rights and interests, strengthening of the confidence of our people in the public authority".

Adoption of the Law of the Republic of Uzbekistan "On Combating Corruption" on January 3, 2017 was a logical continuation of the reforms being undertaken. The law contains six chapters, 34 articles, which describe corruption, corruption-related offenses, and conflict of interests as key concepts.

The law consolidates the basic principles of the fight against corruption and the key aspects of public policy in this area. The law creates additional legal guarantees for the protection of the rights and freedoms of citizens, contributes to the prevention of unlawful interference with private ownership and unreasonable interference in the activities of entrepreneurs.

With purpose of realization of the mentioned Law, the State anti-corruption program for 2017-2018 and the Republican inter-departmental anti-corruption commission were approved.

The state program envisages the development of 10 laws, a number of legislative acts, action plans aimed at preventing its systemic reasons and conditions, directly or indirectly targeting anti-corruption activities, and carrying out a series of media propaganda activities.

As corruption is a hidden, hard-to-solve crime, in order to disclose and prevent it, it is important to unite all the powers and instruments of the state and society as well as to use the criminalistic knowledge, methods, and tools in procedural actions.

Corruption can seriously hurt the development of any state and society. In addition, it can cause the citizens to lose confidence in social justice, truth and government. This is the reason why a firm and systematic work is
being carried out in the country to combat this malicious crime. If anti-corruption measures are not developed today, it will have a negative impact on the political and social institutions of a democratic state, being a threat to the security of the country, the society. Consequently, the fight against corruption in a criminal and legal sense is primarily the solving, investigation and prevention of such crimes.

As the main purpose is maintaining the well-being of the society and economic development of the country, it should be noted that the fight against corruption is one of the most important tasks of the modern era. Thus, it is necessary to apply special measures to combat corruption (operational search activity and criminalistic means and methods), and at the same time this should be done in a complex way.

The changes in corruption and its causes should be systematically analyzed as well as real socio-economic and political conditions, social consciousness and the law enforcement agencies must define strategies and tactics of fighting it.

Criminalistic prophylaxis is a system of measures taken by the investigator, operational staff, specialist and other law enforcement agencies to identify the reasons and conditions that preconditioned the commission of a criminal act and to develop measures to combat criminality.

The main task of criminalistic prophylaxis of corruption-related crimes is constant improvement of scientific-technical means as well as the tactics and methods of investigation and disclosure of corruption-related crimes.

Based on the specific tasks of criminalistic science, it develops (by using scientific-technical methods and means) criminalistic protection of objects from different infringements, as well as the methods of obtaining information about the crimes being arranged.

Criminalistic prophylaxis of criminality includes the following tasks:
1. timely implementation of urgent measures aimed at prevention and elimination of crimes being arranged;
2. taking legal measures immediately upon the crime committed;
3. determination of method, place, time, specialties of crime subject in crime prevention during investigation and operational search activities, etc.

In conclusion, it is high time for us to mobilize our knowledge, skills and efforts to strengthen the existing peace and harmony in our country, to preserve public order, to increase the legal awareness and culture of our citizens for not committing corruption crimes, to ensure the security of every person, every family, every community, which is a complex, and at the same time an honorable job.
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