MECHANISMS OF CORRUPTION PROOFING OF LEGISLATION: COMPARATIVE STUDY

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Abstract: *In this paper, modern mechanisms of corruption proofing of legislation of some countries have been observed due to of their efficacy in curbing corruption, usage of relative contemporary approaches, involvement of information technologies and artificial intelligence, participation of academic society in process wholly. Moreover, issues of further adoption and implementation of most sufficient mechanisms of legal regulation and methods of conducting corruption proofing are deeply investigated in regard with Uzbekistan's perspective.*

Key words: *corruption proofing mechanisms, information technologies, artificial intelligence, checklist, academic corruption proofing.*

"The law usually depicts either someone's subjective opinion of how things should operate or people's habits of behaving in a commonly accepted way"

The extant international legal framework pertaining to corruption prevention may not offer a robust basis for the development and enforcement of efficacious anti-corruption expertise of legislation for national governments. By upholding international regulations and integrating anti-corruption techniques in the development phase, legislators can make laws that efficiently pinpoint corruption hazards and implement strong precautionary and disciplinary measures. Besides, through embracing optimum techniques in the process of legislation drafting, nations can guarantee that their anti-corruption statutes are open to scrutiny, comprehensive in scope, and efficacious in implementation, thereby playing a pivotal role in the worldwide endeavor to combat corruption and foster the supremacy of law.

While there are many international conventions and agreements that address corruption, such as the United Nations Convention against Corruption (UNCAC), there is no precise legal framework for corruption proofing. This is because corruption proofing is a complex process that requires a customized approach for each country or context. One of the challenges of developing an international legal framework for corruption proofing is that corruption is often deeply entrenched in political and economic systems. Developing an effective legal framework for corruption proofing requires a comprehensive understanding of the social, economic, and political factors that contribute to corruption, as well as the cultural context of the country or region where it is taking place.

Despite these challenges, there are some international efforts underway to promote corruption proofing. For example, the Organization for Economic Co-operation and Development (OECD) has developed a series of guidelines for corruption proofing in public procurement, which provide a framework for assessing and mitigating corruption risks in procurement processes. Similarly, the United Nations Development Program (UNDP) has developed a toolkit for corruption risk assessment in public procurement, which provides guidance on identifying and addressing corruption risks in procurement processes.

Despite these efforts, there is still a long way to go in developing a comprehensive international legal framework for corruption proofing. One of the key challenges is ensuring anti-corruption efforts are coordinated and effective across different sectors and levels of government. Corruption is a multi-faceted problem that requires a multi-faceted solution, and this can be difficult to achieve without a clear legal framework that provides guidance and accountability. One possible way forward is to develop a set of international standards or guidelines for corruption proofing, similar to those that exist for other areas of governance, such as environmental protection or human rights. These standards could provide a common language and methodology for identifying and addressing corruption risks, and could be adapted to different contexts and legal systems.

One outstanding example is the Council of Europe MOLICO Project: “The methodology for conducting corruption proofing of legislation was disseminated internationally as a best practice in preventing corruption (in front of the GRECO Plenary and at the international level).” Practical and theoretical evidence has established that these. There is no international or commonly agreed definition of corruption proofing. A comparative paper of 2008 describes it as follows: “Anti-corruption review of legislation and legal drafting is a preventive measure aimed at diminishing loopholes in a legal system[54]. However, international organizations have also contributed to the development of the anti-corruption legal framework. In 2003, the United Nations Convention against Corruption (UNCAC) was adopted by the General Assembly. UNCAC is the first legally binding global anti-corruption instrument, requiring states to implement a range of measures to prevent corruption, including the prevention of conflicts of interest, the regulation of political financing, and the protection of whistleblowers.

The base of anti-corruption expertise of normative legal acts derives from the United Nations Conventions against corruption from 2003, which is the only international legal documents aimed at preventing, curbing and eliminating corrupt activities. In turn, although this exacts global normative act does not directly mention or regulates the process of corruption proofing, nor provides methodology for member states how to put into practice such a new and helpful mechanisms of fighting corruption, it obliges participants to take specific measures that are yet to be discovered or coined in order to stop the phenomena of corruption. However, none of the norms of international legal acts

[54] Anti-Corruption Assessment of Laws (‘Corruption Proofing’) Comparative Study and Methodology, 2014, page 12

directly states out any relevant information on the question of anti-corruption expertise of normative legal acts and their drafts towards the members states, they, however, in some extent allow to grasp the meaning that every country may take necessary measures to prevent and fight against corruption in different forms, while bonding the fundamental rights and freedom of people.

Meanwhile on the same matter our national legal mind Mr. T. Kenjaev deems that we can observe the difference in approaches to the implementation of this rule in the countries that are members of the UN. The unifying component, in our opinion, is the similarity of the traversed paths of the historical and political development of a particular state. Thus, almost all countries of the post-Soviet space, and especially the CIS countries, have chosen the most active way of implementing anti-corruption policy in the rule-making process than the countries of Europe, America and other countries. In our opinion, the fundamental reason for such different approaches is the presence or absence of an established system of legislation. So, if most of the countries of Europe and America already had a well-formed and historically adapted legislative base, then the CIS countries, united by similar challenges in the development of statehood, had yet to go through this path with taking into account the need to develop and approve a system of legislation in the conditions of the new independence of each country[55].

By Resolution of the Inter-Parliamentary Assembly of the CIS Member States dated May 17, 2012 No. 37-12, the Model Law on Anti-Corruption Expertise of Normative Legal Acts and Draft Legal Acts was adopted (hereinafter referred to as the Model Law). It was this document that defined specialized standards for regulating relations in the field of anti-corruption expertise for the CIS countries, where the main goal is to early identify and eliminate corruption-prone norms. A significant assistance in the development of national legislation in the field of anti-corruption expertise of draft legislation was the introduction of a specific list of corruption factors, the change and addition of which is possible on the part of any CIS state[56].

Meanwhile, the Law does not provide a specific definition for the concept of “corruption-causing factors”, according to the well-known scientist in the field under consideration, Tsirin A.M., this was done presumably due to the possibility of a significant difference from the national legislation of the participating countries. Article 2 of the Model Law provides for the definition of anti-corruption expertise of regulatory legal acts and their drafts. More precisely this article defines the term of anti-corruption expertise of regulatory legal acts and draft regulatory legal acts — activities to identify corruption factors in regulatory legal acts, draft regulatory legal acts and prepare opinions containing

[55] Kenjayev Timur Isomovich Doctor of Philosophy (PhD in Law) on the topic "Anti-corruption expertise of draft legislation acts: comparative legal analysis" with the specialty "12.00.12 - Problems of corruption (in legal sciences)" year of 2022.

[56] Anti-corruption expertise in Russia and foreign countries: comparative legal research by Tsirin Artem Mikhailovich

recommendations for their elimination, as well as the requirements of the prosecutor to change the regulatory legal act[57].

The 2012 CIS Recommendations 125 provide an example of a rule or methodology for conducting anti-corruption due diligence. At the same time, this document takes into account both models of expertise - state and independent. The very fact of preparing such a draft is the basis for conducting an anti-corruption expertise of a draft legislative act. Thus, the obligation to conduct this type of examination is emphasized. However, not all countries have chosen the approach of unconditional obligation, putting forward specific restrictions, or an exhaustive list of public relations, the regulation of which is subject to mandatory anti-corruption expertise. Having discovered international legal fundaments of anti-corruption expertise of normative legal acts and their drafts, we would like to analyze outstanding experience of some developed countries in terms the matter being researched. As per country of observation Kazakhstan, Moldova, South Korea and Albania effective practice of implementation of corruption mechanisms and proficient works are provided.

Kazakhstan. Among the CIS countries, the effectiveness of reforms in Kazakhstan on the acceptance of corruption is also important. Indeed, in the 2022 Corruption Perceptions Index, Kazakhstan ranked 101th out of 180 countries with 38 points (Uzbekistan ranks 126th). In Kazakhstan, on December 11, 2015, the Anti-Corruption Agency was established, the charter of this agency, approved on July 22, 2019, defines a number of its responsibilities in the field. However, we see that the Agency is not charged with any tasks related to the anti-corruption examination of normative legal acts and their drafts[58]. In April 2011, the Ministry of Justice amended Law No. 213 “On Normative Legal Acts” of 24 March 1998 and for the first time introduced the concept of the “legal monitoring of normative legal acts”.

In Article 1 the Law defines legal monitoring as “the performance of state bodies, carried out on a permanent basis, for the collection, evaluation and analysis of information regarding the status of legislation of the Republic of Kazakhstan as well as forecasting the dynamics of its development and practical application in order to identify outdated laws and/or such against corruption-laws, and assessing the effectiveness of their implementation.” According to Government Decree No. 359 of 5 April 2011,41 legislative initiatives and draft normative legal acts of the President of Kazakhstan are not subject to obligatory anti-corruption screening. The OECD has criticized this exception[59].

Pursuant to Government Decree No. 964 of 25 August 2011 on “rules of legal monitoring of normative legal acts”, the Ministry of Justice coordinates the Comparative

[57] Model Law of CIS “On Anti-corruption expertise of regulatory legal acts and their drafts” from 2012.

[58] Anti-Corruption Agency and Anti-Corruption Examination of normative legal acts: Comparative Analysis Ulugbek Aloev, Prosecutor General's Office of the Republic of Uzbekistan Independent Researcher of the Academy. Uzbekistan Qunduz Rozimova, Tashkent State University of Law Criminal Law and Criminology teacher of the department, PhD in Law.

[59] OECD/ACN second round of monitoring, Kazakhstan, Monitoring report 29 September 2011, page 71.

Study and Methodology activities of authorized bodies for monitoring legal regulations. The Ministry of Justice procures the task of corruption proofing to academic institutions on the basis of tenders. The national budget pays for the tenders. Reportedly, the Ministry of Justice annually identifies institutions, which are authorized to perform anti-corruption screening. Thus, they often change. The OECD saw in this a risk of decreasing effectiveness of anti-corruption screening, since the experience gained in one year could not be used in another institution the following year. Furthermore, in the view of the OECD, an opinion by a state body would have more weight than one of an academic institution[60].

In 2011, the Institute of the Legislation of the Republic of Kazakhstan (Institute) was responsible for the corruption proofing of legislation. Within the Institute, the Centre for Legal Monitoring (Centre) reviews legislation. Since 2012, the Centre has been split into two sectors: The Sector for Analysis and Legal Monitoring and the Sector for the Anti-corruption Examination of Enacted Normative Legal Acts[61]. The main objective of the Sector for the Anti-corruption Examination of Enacted Normative Legal Acts is to analyze the extent to which regulatory acts could facilitate the committing of corruption offenses. The Sector for Analysis and Legal Monitoring develops recommendations for improvement with regard in particular to contradictions, collisions and gaps between different regulations, the duplication of norms, obsolete declarative phrases and norms that promote the committing of corruption offenses. The Institute has developed “Guidelines for the Monitoring of Legal Normative Acts” (approved through Order No. 350 of the Minister of Justice on 28 October 2011), intended for state bodies exercising legal monitoring of regulations. The Guidelines comprise 21 pages structured into four chapters:

Chapter 1: General;

Chapter 2: Conducting Legal Monitoring;

Chapter 3: Rules for Sociological Surveys;

Chapter 4: Methods of Assessing Corruption Risks of Normative Legal Acts[62].

According to Chapter 4, the task of assessing corruption risks includes: identification of corruption risk factors, such as regulatory shortcomings that create opportunities for corruption offenses; recommendations for eliminating corruption risks and revising draft laws; recommendations for including corruption prevention mechanisms; The corruption risk analysis consists of two stages. The first stage is a preliminary analysis of the normative legal act. The second stage involves a substantial corruption risk review. Furthermore, the preliminary (first) stage of analysis includes a review of the regulatory shortcomings such as contradictory competencies, overlapping authority to develop regulations or to monitor their implementation, failure to identify a responsible public authority for implementation, absence of oversight and control mechanisms, and the absence of mechanisms for judicial redress.

[60] OECD/ACN, ibid.

[61] http://www.izrk.kz/index.php?option=com_content&view=article&id=213&Itemid=93&lang=en> (English).

[62] Anti-Corruption Assessment of Laws (‘Corruption Proofing’) Comparative Study and Methodology, 2014, page 27.

The second stage of the analysis (substantial corruption risk review) focuses more on the specific regulatory risks of the Law: too broadly formulated discretionary powers; unclear definitions of competence through use of the word 'may'; lack of or improper regulation of administrative procedures; improper definition of the roles, responsibilities and rights of public officials; gaps; conflicting regulations; unnecessary delegation of regulatory authority to another body; lack of adequate transparency; lack of monitoring mechanisms.

According to information provided by the Ministry of Justice, as of the end of June 2011 16 draft laws and over 1,000 legal acts of the Government and central state authorities had been reviewed. Out of the 1,500 comments 1,300 (87%) were taken into account, whereas the other 13% were rejected. Neither the draft laws or explanatory notes nor the results of corruption proofing are published on the Parliament website[63]. Likewise, none of the legal acts of the Government or the results of their corruption proofing is available online. In addition to the corruption proofing mechanisms mentioned above there is also the Inter-departmental Commission for Improvement of Legislation in the Anti-Corruption Area. The Commission develops proposals for amending enacted laws with respect to corruption prone provisions. It sends the results of its analysis to the state authorities for further consideration. The Commission meets on a monthly basis.

About scientific anti-corruption expertise. The Law of the Republic of Kazakhstan "On Legal Acts" provides for the norms for conducting scientific anti-corruption expertise of draft regulatory legal acts. The objectives of the scientific anti-corruption expertise of draft regulatory legal acts are to identify corrupt norms, as well as to develop recommendations aimed at their elimination. Scientific anti-corruption expertise is mandatory subject to draft regulatory legal acts of local government bodies, with the exception of draft regulatory legal acts specified in paragraph 5 of the Rules for conducting scientific anti-corruption expertise of draft regulatory legal acts approved by the Decree of the Government of the Republic of Kazakhstan dated July 16, 2020 No 451[64].

Scientific anti-corruption expertise of drafts of a regulatory legal act is carried out before it is submitted for approval to the justice authorities. When submitting a draft regulatory legal act for consideration by the justice authorities, the developer attaches to the draft regulatory legal act the conclusion of the scientific anti-corruption expertise and a copy of the letter with reasoned justifications for the reasons for disagreeing with the recommendations of the expert opinion sent to the coordinator. The term for conducting a scientific anti-corruption expertise on draft regulatory legal acts does not exceed 10 working days from the date of submission to the project coordinator of the by-law regulatory legal act and materials to it.

[63] OECD/ACN second round of monitoring, Kazakhstan, Monitoring report 29 September 2011, page 71.
[64] Opinions of S.Kantarbaeva — Chief specialist of the administrative and legal department of the Department of Justice of Akmola region

Based on the results of the examination for each draft NLA, the expert prepares a conclusion with proposals for eliminating the identified corruption-prone norms, including recommendations in the form of legal norms that prevent the commission of corruption offenses. The conclusions of the scientific anti-corruption expertise are advisory in nature. This examination of draft legal acts is aimed at eliminating corrupt norms aimed at concealing or lobbying by the developer of an insufficiently substantiated draft legal acts at the stage of its development[65].

Moldova. The basic beginning of the development of anti-corruption expertise was laid in connection with the adoption in 2004 of the National Strategy to Prevent and Combat Corruption. Some researchers argue, while it is difficult to disagree with them, that the authors of the Moldovan concept of preventing corruption outlined the specific components necessary to create and conduct corruption proofing of legislation: functioning of an effective system for conducting anti-corruption expertise consisted of:

1) awareness and acceptance of the fact that legislation can create conditions for the commission of corruption offenses;

2) a strong-willed step of a political orientation, providing the necessary opportunities for the mandatory and independent anti-corruption expertise;

3) creation of a multi-layered anti-corruption barrier, by organizing a parallel anti-corruption expertise by a state body, as well as an independent non-state sector[66].

In this case, the experience of Moldova seems to be very interesting and perhaps more applicable in our case. The mechanism for the phased implementation of the National Strategy seems interesting, and more specifically, the annual approval for each six months of measures for its implementation.

Thus, according to paragraph 2 of the Decree of the Government of the Republic of Moldova “On the implementation of the National Strategy for the Prevention and Combating of Corruption in the first half of 2006”, the Center for Combating Economic Crimes and Corruption, together with the Ministry of Justice, was instructed to develop and submit to the Government within 15 days the draft Law on amendments and additions to the legislation in order to provide an adequate regulatory framework for conducting an examination of the corruption potential of draft legislative acts, the draft Methodology for the examination of the corruption potential of draft legislative acts, as well as the composition and Regulations on the activities of the Interdepartmental Group for conducting an examination of the corruption potential of draft legislative acts[67].

The next step was the adoption of the Regulations on the organization of the process of conducting corruption expertise of draft legislative acts, as well as the personal

[65] Opinions of S.Kantarbaeva — Chief specialist of the administrative and legal department of the Department of Justice of Akmola region

[66] Kenjayev Timur Isomovich Doctor of Philosophy (PhD in Law) on the topic "Anti-corruption expertise of draft legislation acts: comparative legal analysis" with the specialty "12.00.12 - Problems of corruption (in legal sciences)" year of 2022.

[67] The same source.

composition of the Commission for coordinating this process. It should be noted that due to the need for further development, in 2012 the Center for Combating Economic Crimes and Corruption was renamed the National Center for Combating Corruption. In addition, one of the most important components of the ongoing reform was the resubordinating, or rather, the acquisition of independence of the National Center from government bodies and the definition of accountability to parliament, and the latter was given the right to appoint and dismiss the director of the National Center. Of fundamental importance is the legislative basis of the National Center – the Law of the Republic of Moldova "On the National Center for Combating Corruption", which has been in force since 2002. The Moldovan legislative act specialized in the field of combating corruption, deserves special attention. In accordance with this Law, anti-corruption expertise of draft legislative acts, as well as their public discussion with an assessment of corruption risks, are classified as guarantee measures to prevent corruption. Mandatory anti-corruption expertise of projects has been established, as well as its criteria, which include:

a) the proportion of reference and blanket norms in the content of the project and the possible consequences of their application; State register of legal acts of the Republic of Moldova.

b) the level of regulatory duties transferred to the competence of public authorities;

c) identification of contradictions in legal norms;

d) the level of responsibility and duties imposed on civil servants;

e) assessment of administrative control procedures (internal or by higher authorities);

f) the level of requirements for holders of certain rights;

g) the level of transparency in the activities of public authorities[68].

At the same time, the two-level system for the prevention of corruption, created in Moldova, deserves special attention, consisting of two independent centers, one of which represents the public sector, and the second is a public organization. By these organizations, we mean the above-mentioned National Center, as well as the Center for Research on the Prevention of Corruption. Of particular importance in this context is the fact that the latter Center is completely independent of both the government and the parliamentary system.

The following data are more specific: in 2016, 21% of draft decisions of the Government included norms lobbying the interests of private individuals, while in 2018 this figure dropped significantly to 3%. These circumstances forced lobbyists to look for ways to bypass the anti-corruption expertise, which we can observe in the following data: in 2016, 25 decisions, and this is 7% subject to expertise, were made without an anti-corruption expertise procedure, while in 2017 the figure for such "bypass » projects reached 82 (19%),

[68] The same source.

and in 2018 - 15%[69]. These indicators testify to the successful experience of the Republic of Moldova, which was “not to the taste” of some representatives promoting the private interests of certain circles, which forced them to look for ways around. According to the estimates of this study, the amount of prevented damage to the republican budget of Moldova amounted to more than 1.3 billion lei (about 73 million dollars), in this case we are talking about cases where the final recommendations were accepted in part or in full[70].

Specifics of corruption proofing in Moldova resembles as follows:

- Scope – all draft laws and draft regulatory acts;
- In charge of mandatory corruption proofing – National Anticorruption Center (NAC);
- Timing – once the draft is final in the Government, or when submitted by a member of the Parliament before it is sent out to the Ministry of Justice for legal expertise;
- Deadline – 10 days, extendable to 1 month;
- Methodology – written and software, last updated in October 2017[71].

Noteworthy is the fact that the use of IT tools is Moldova’s practice, where using an interface for reporting linked to an institutional database, so that findings on corruption risk factors are automatically stored in such a way as to generate statistics that can be easily collated, summarized and presented. Concerning reporting tools, Moldova again provides a very good model. In addition to the typology of corruption risks, a standardized reporting template is used for every report. The reporting interface ensures that statistics – for example on the number of each type of corruption risk factor detected – are automatically generated[72].

South Korea. South Korea's experience is slightly different, since it is not named corruption proofing, but assessing the impact of legislation on corruption is of particular importance. According to the Corruption Perceptions Index (Corruption Perceptions Index) compiled by the international rating organization Transparency International, in 2022 this country ranked 31nd in the world with a score of 63[73]. Since the establishment of the Independent Anti-Corruption Commission (hereinafter referred to as the Commission) in Korea in 2002, this Commission has been tasked with identifying corruption risks in legislation and has been carrying out systematic measures for assessment and their

[69] http://www.infotag.md/m9_economics/289240/ cited on 20.05.2023

[70] Kenjayev Timur Isomovich Doctor of Philosophy (PhD in Law) on the topic "Anti-corruption expertise of draft legislation acts: comparative legal analysis" with the specialty "12.00.12 - Problems of corruption (in legal sciences)" year of 2022.

[71] Paper on corruption proofing of legislation Cristina Tarna 3-4 march 2020 Tangier, Morocco.

[72] Technical Paper: Corruption Proofing in Eastern Partnership countries: overview and lessons for good practice Prepared by: Quentin Reed, Council of Europe Expert PGG-Regional (August 2017)

[73] https://www.transparency.org/en/cpi/2022/index/kor

prevention[74]. According to Korean legislation, there are the following types of assessment of the impact of regulatory legal acts on corruption by the Commission:

1) Laws and legal documents or their drafts assessment of the impact on corruption.

Any state body that has developed a law or a by-law document or prepared a draft for additions and amendments to existing documents shall send to this Commission all relevant materials along with the draft, including current laws and their drafts, Presidential and Prime Minister's Decrees, decisions of ministries and their drafts. an impact assessment is required. Regulatory legal documents with legislation to the commission given wide powers to ensure effective implementation of project evaluation. In particular, in the process of reviewing the project, if the Commission deems it necessary, it has the authority to review any current regulatory legal document[75].

2) Rules containing administrative procedures assessment of the impact on corruption.

This type of assessment is the establishment of administrative procedures is carried out on the basis of the current rules (directives, rules, instructions, regulations) of competent state bodies. At the same time, the Commission can assess the impact of the rules on corruption that caused corruption and any existing administrative procedure that is subject to public objection[76]. The exact same rule has been made into the new draft of the Law of the Republic of Uzbekistan “On anti-corruption expertise of normative legal acts and their drafts”, where precisely an article 6 states that the Anti-Corruption Agency of the Republic of Uzbekistan will be empowered to conduct the anti-corruption examination of normative legal documents and their drafts.

3) Normative and legal regulations of local authorities’ assessment of the impact of documents on corruption.

Self-governance assessment departments in local authorities (for example, legal office, auditor's office) have the authority to assess the impact of decisions or regulations adopted by local authorities and considered normative legal documents on corruption. In addition, the Commission has the right to assess the impact of corruption on the documents of local government bodies[77].

4) Assessment of the influence of the rules and regulations of organizations related to public service on corruption.

In Korea, any organization related to public service, such as documents of local government bodies, has a system of independent evaluation of its own internal rules. The anti-corruption effect of such provisions (charter, internal rules and regulations) may also

[74] Aloev Ulug'bek Makhmudovich Doctor of Philosophy (PhD in Law) on the topic "Improving legal mechanisms for assessing the impact of legislation in the fight against corruption" with the specialty of "12.00.12 - Problems of corruption (in legal sciences)" year of 2022.
[75] The same source.
[76] The same source.
[77] The same source.

be evaluated by the Commission at the request of the head of the public service organization[78]. Therefore, the following can be pointed out as important aspects of the mechanism of assessing the impact of regulatory legal acts in Korea on corruption:

- The range of documents to be evaluated is wide, in which it is required to be evaluated, starting from laws, statutory documents, as well as documents of local state authorities and internal documents of organizations related to public service;
- Assessment is considered a separate special state body conducted by an independent anti-corruption commission with broad powers to organize and conduct evaluations;
- The right to conduct assessment is given to professional entities with special qualifications, in addition to the specially authorized state body[79].

The actual assessment of laws on corruption starts with respective state bodies preparing a draft law. They submit the proposal together with a form for applying for an assessment according to the “Technical guide on application for corruption impact assessment”. Then state bodies are obliged to provide the Commission with the documents necessary for the assessment. State bodies are also required to fill out a self-assessment checklist with detailed questions on possible corruption risks contained in the draft laws. This way, the author of the law is already forced to think about possible corruption risks when drafting the law. The Korean system of corruption proofing thus combines (inherent) corruption proofing at the time of drafting laws with extrinsic corruption proofing by an independent third party, namely the Commission[80].

The Commission conducts its evaluation within a period of 30 days. In cases of emergency, the law setting process may proceed with the assessment report following later. Once the commission finds corruption risk factors it issues a written notification with the deadline for action to be taken. The head of the respective state body has to provide reasons in writing within the deadline if the recommendations cannot be implemented. Assessments can include a state body’s “internal rules and bylaws[81].

Summarizing our legal comparative analysis and observation of the mechanisms of anti-corruption expertise of normative legal acts and their drafts from the perspective of international standards as well as practice of some advanced, in this regard, countries such as Kazakhstan, Moldova and South Korea, we have made the following conclusions:

- The use of information technologies and artificial intelligence in the process of conducting corruption proofing of legislation such as which exists and successfully

[78] Introduction to Korea's Corruption Risk Assessment: A Tool to Analyze and Reduce Corruption Risks in Bills, Laws and Regulations. Aug 13, 2020.
[79] Aloev Ulug'bek Makhmudovich Doctor of Philosophy (PhD in Law) on the topic "Improving legal mechanisms for assessing the impact of legislation in the fight against corruption" with the specialty of "12.00.12 - Problems of corruption (in legal sciences)" year of 2022.
[80] Anti-Corruption Assessment of Laws (‘Corruption Proofing’) Comparative Study and Methodology, 2014, page 30.
[81] The same source.

implemented in Moldova is also beneficial and suggested for Uzbekistan as a way of enhancing corruption proofing mechanisms;

- South Korea’s practice of empowering one special state office or agency for corruption proofing matter is appropriate approach of regulating the procedure this type expertise, which will deter any chaos and disorder. Thus, it is, in our personal view, Uzbekistan should empower Anti-corruption Agency of Uzbekistan for this task;
- It is highly important to enact International Convention on the matter of regulating corruption proofing of legislation by UN as well as reviewing its own Conventions for the question of presence of such norms, causing international economics crimes or favoring certain member states.

BIBLIOGRAPHY AND REFERENCES:

1. Anti-Corruption Assessment of Laws (‘Corruption Proofing’) Comparative Study and Methodology, 2014.

2. European Partners Against Corruption report, “Common Standards and Best Practice for Anti-Corruption Agencies”, 2008.

3. Golovin A.Yu. Anti-corruption expertise of regulatory legal acts and draft regulatory legal acts in the law enforcement system. News of TulGU. Economic and legal sciences. 2012, No. 2-2.

4. Kenjayev Timur Isomovich Doctor of Philosophy (PhD in Law) on the topic "Anti-corruption expertise of draft legislation acts: comparative legal analysis" with the specialty "12.00.12 - Problems of corruption (in legal sciences)" year of 2022.

5. Aloev Ulug'bek Makhmudovich Doctor of Philosophy (PhD in Law) on the topic "Improving legal mechanisms for assessing the impact of legislation in the fight against corruption" with the specialty "12.00.12 - Problems of corruption (in legal sciences)" year of 2022.

6. Introduction to Korea's Corruption Risk Assessment: A Tool to Analyze and Reduce Corruption Risks in Bills, Laws and Regulations. Aug 13, 2020.

7. Technical Paper: Corruption Proofing in Eastern Partnership countries: overview and lessons for good practice Prepared by: Quentin Reed, Council of Europe Expert PGG-Regional (August 2017).

8. Analytical paper on corruption proofing of legislation Cristina Tarna 3-4 march 2020 Tangier, Morocco.

9. OECD/ACN second round of monitoring, Kazakhstan, Monitoring report 29 September 2011, page 71.

10. Anti-Corruption Agency and Anti-Corruption Examination of normative legal acts: Comparative Analysis Ulugbek Aloev, Prosecutor General's Office of the Republic of Uzbekistan Independent Researcher of the Academy. Uzbekistan Qunduz Rozimova,

Tashkent State University of Law Criminal Law and Criminology teacher of the department, PhD in Law.

11. Anti-corruption expertise in Russia and foreign countries: comparative legal research by Tsirin Artem Mikhailovich.

12. Model Law of CIS “On Anti-corruption expertise of regulatory legal acts and their drafts” from 2012.