

MECHANISMS FOR MITIGATING CORRUPTION RISKS THROUGH COMPLIANCE CONTROL

Barotova Sarvinoz Xayrullo qizi

National University of Uzbekistan

First-year Master's Student in Public Administration

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Abstract: The article investigates the institutionalization of anti-corruption compliance control as a key preventive mechanism within the public administration system. It substantiates the objective necessity of transitioning from a traditional punitive model to the proactive prevention of corruption-generating factors. A distinction is drawn between preventive compliance, retrospective state control, and departmental audit. The transformation of corporate risk management tools for public sector needs is examined, focusing on the legal framework of the Republic of Uzbekistan. Special attention is given to specific implementation mechanisms: mapping corruption risks, managing conflicts of interest, and the institution of whistleblower protection (whistleblowing). It is argued that maximum anti-corruption effectiveness is achieved through digital transformation and the integration of LegalTech technologies (artificial intelligence algorithms) for the automated expertise of regulatory acts. Based on the research findings, proposals for improving legislation are formulated, including establishing the procedural status of a compliance officer and integrating risk matrices into digital personnel systems.

Keywords: anti-corruption compliance, public administration, corruption risks, preventive mechanisms, conflict of interest, whistleblowing, digital transformation, legaltech (artificial intelligence)

At the current stage of development for the institution of public administration, the objective necessity of conceptually revising anti-corruption mechanisms is becoming increasingly relevant. Empirical analysis confirms that the traditional repressive (punitive) model, focused solely on applying sanctions post factum, does not provide a sustainable anti-corruption effect, as it is aimed at eliminating consequences rather than the root causes and determinants of corrupt behavior [1, 40].

In this regard, preventive mechanisms are gaining priority strategic importance, the essence of which lies in preventing corruption manifestations and eliminating the conditions contributing to them [2, 67].

The key institutional tool for such a transition is anti-corruption compliance control. Having originally emerged as a regulatory element in the corporate sector, this institution is now organically integrating into the public administration system as a critical necessity. The compliance control system provides the opportunity to proactively identify and mitigate corruption risks (corruption-generating factors) directly at the stage of management decision-making: specifically, during anti-corruption expertise of regulatory acts, public procurement and tenders, as well as in the process of personnel support.

This process acquires particular significance in the context of the digital transformation of the state apparatus. The integration of modern information technologies and platforms allows for the minimization of human factor, automated risk analysis in real-time, and guarantees a fundamentally new level of transparency and accountability for departmental activities [3, 46].

To conceptually understand the theoretical and legal essence of anti-corruption compliance in the public administration system, it is of paramount importance to distinguish it from related

institutions such as state control and departmental audit. In law enforcement practice, their unjustified identification is often observed, which inevitably leads to the duplication of management functions and the devaluation of preventive measures.

Traditional state control is the authoritative-imperative activity of authorized bodies, which is primarily external in nature and is aimed at verifying the execution of laws, as well as identifying already committed offenses post-factum with subsequent application of sanctions. In turn, departmental audit (audit) functions as a system for internal evaluation of financial and economic activities, establishing facts of misappropriation of resources and accounting deviations, usually after they have occurred [4].

In contrast to the specified forms, anti-corruption compliance has a fundamentally different, preventive (preventive) nature. It represents a comprehensive system of regulations, ethical standards, and procedures organically integrated into the daily processes of the state body and aimed at compliance with professional conduct norms. Its strategic task is not the retrospective search for culprits, but the proactive identification and elimination of institutional vulnerabilities (corruption-generating factors) directly within administrative procedures—specifically during public procurement or the issuance of permits [5]. Consequently, if classical control ensures the verification of legality, and audit ensures financial discipline, compliance control manages behavioral risks and prevents the emergence of conflicts of interest at their very formation stage [6].

The evolution of the compliance institute illustrates its complex legal transformation during the transfer of management technologies from the private sector to the public administration system. Having originated in the Western corporate environment (specifically within the framework of the FCPA act in the USA) as a rigid mechanism for protecting transnational capital from reputational losses and colossal fines, this institution was subsequently borrowed and adapted for state needs. The integration of such corporate practices into the state apparatus has become a natural response to the growing inefficiency of traditional bureaucratic models, requiring a transition to more flexible, transparent, and socially-oriented forms of management [7, 122].

In the reception of corporate practices, a fundamental transformation of goal setting occurred. Unlike the business environment, where compliance mechanisms are historically focused on protecting organizations from financial and reputational losses, in the public administration system, the highest goal of this institution is to achieve social effect, protect public interests, and ensure strict compliance with legality. Approved corporate tools, such as protected whistleblowing channels, corruption risk assessment maps, and due diligence procedures, have been transferred into the fabric of administrative law and transformed into imperative regulations of professional conduct [2, 68].

Within the context of the national legal system of the Republic of Uzbekistan, the institutionalization of compliance control is characterized by the active formation of a multi-level regulatory framework. The basic foundation is the Law of the Republic of Uzbekistan "On Countering Corruption," which conceptually establishes the priority of measures to prevent corruption over repressive mechanisms. At the institutional and managerial level, the most important vector was the establishment of the Anti-Corruption Agency, as well as the regulatory consolidation of the mandatory implementation of internal anti-corruption control systems in all state and economic management bodies [8]. Thanks to these regulatory decisions, compliance control has moved from the category of recommended practices to the status of a mandatory organizational and legal mechanism [9].

An important stage in ensuring the unification of this process was the implementation of international standards, specifically ISO 37001 "Corruption Management Systems," which established a strict methodological framework: from approving departmental anti-corruption policies to conducting regular audits and monitoring [10]. The current development of legislation indicates a strategic transition from fragmented initiatives to the creation of a holistic preventive ecosystem, where internal anti-corruption control units operate under the coordination of the Anti-Corruption Agency as the primary link of the national anti-corruption architecture.

The transition from theoretical understanding of compliance control to its practical implementation requires the implementation of clear procedural mechanisms. The fundamental stage of building a preventive architecture is the mandatory identification, assessment, and mapping of corruption risks. This process signifies the abandonment of abstract counteraction in favor of a point-based, risk-oriented approach. State bodies conduct a detailed analysis of internal administrative procedures for each assigned function to identify vulnerabilities. Traditionally, the highest level of corruption is characterized by areas such as public procurement, budget allocation, administrative procedures, and personnel support [11].

Risk mapping involves identifying specific corruption-prone factors at each stage of administration: in particular, the breadth of discretionary powers of officials, the presence of norms allowing for evading competitive procedures, excessive barriers, or a lack of transparency. The logical outcome of this analytical work is the formation of corruption risk maps and their subsequent inclusion in the open "Electronic Register of Relations Affected by Corruption," where each identified threat is assigned a critical level (low, medium, high) and a specific mechanism for its minimization or elimination is established [11].

An effective risk management architecture is based on the institutional settlement of conflict of interest - a situation where an official's personal (direct or indirect) interest negatively impacts their objective and impartial performance of official duties [12]. Key legal instruments for neutralizing this risk include mandatory disclosure of information and declaration of potential conflicts of interest, automated monitoring of affiliation, particularly in public procurement, as well as procedural mechanisms for removal from decision-making, including voluntary recusal, forced change of official powers, or transfer to another position.

For the proactive identification of latent corruption threats, the functioning of the institution for protecting persons reporting corruption offenses (whistleblowing) is critically important. This institution is ensured by strict legal guarantees of confidentiality (maintaining official secrets) and protection against any forms of persecution, administrative pressure, or the infringement of labor rights. The incoming signals serve as the basis for initiating service (internal) inspections conducted by the independent compliance control unit. In the event that signs of a criminally punishable act are identified, the materials shall be transferred to the competent authorities to organize criminal prosecution, whereas administrative or disciplinary offenses entail the application of appropriate penalties and the systematic elimination of vulnerabilities through ethics commissions.

The basic level of anti-corruption prevention is the digital transformation of public administration (introduction of electronic government systems and open data), which eliminates direct physical contact between participants in procedures and minimizes the subjective human factor [13]. A qualitative breakthrough in this field is the integration of LegalTech technologies - automation of anti-corruption expertise using artificial intelligence (AI) algorithms. The application of AI systems allows for the automated identification of legal conflicts, excessive discretionary powers, and linguistic markers of corruption in regulatory legal acts. Thus, AI is

capable of performing the function of an impartial primary filter in rule-making activities and ensuring automatic risk analysis.

The formation of an effective national anti-corruption model objectively requires the adaptation of advanced international experience. A hybrid approach, combining the best foreign practices, seems appropriate.

Nevertheless, for the Republic of Uzbekistan, the primary catalyst for development is officially defined as the accelerated implementation of artificial intelligence technologies into public administration processes. This strategic direction allows for the accelerated establishment of a preventive ecosystem (Anti-Corruption Cluster), which surpasses traditional models and ensures a fundamentally new level of transparency, where the system works to prevent corruption without human intervention [14].

Summarizing the results of the conducted study, it can be stated that anti-corruption compliance in the public sector represents a fundamentally new, preventive legal institution. Unlike traditional state control and auditing, which focus on simultaneously recording already committed violations, compliance is aimed at proactively identifying and eliminating corruption-prone vulnerabilities in administrative procedures themselves. The transformation of this tool from the corporate sector into public administration has demonstrated its high effectiveness in managing conflicts of interest, protecting whistleblowers, and mapping departmental risks. At the same time, the maximum preventive potential of compliance control is revealed only through its synergy with advanced technologies of digitalization and algorithmic analysis (LegalTech), which exclude the subjective human factor in management decision-making.

Based on the theoretical and legal analysis conducted, it seems appropriate to put forward the following proposals for improving anti-corruption compliance mechanisms:

1. In the field of legislative support:

- Establishing the procedural status and guarantees for the independence of the compliance officer. There is an objective need to introduce additions to the Law "On Countering Corruption" and relevant acts on civil service in order to clearly define the legal status, powers, and guarantees of immunity of compliance unit employees who are currently vulnerable to pressure. To ensure genuine functional independence, it is advisable to legislatively establish a practice whereby the appointment, dismissal, and application of disciplinary sanctions against a unit head must be coordinated with the Anti-Corruption Agency, and direct subordination must be limited exclusively to the department's first head.

- Regulating whistleblowing. It is necessary to develop a separate regulatory legal act or specify a special chapter in the current law that scrupulously prescribes the procedures for protecting persons who report corruption offenses. It is important to legally establish protection against dismissal, transfer to a lower position, and other hidden forms of administrative harassment (including by regulating the mechanism for the Agency to issue a special "protection order").

2. In the field of practical and managerial activities:

- Digital transformation of anti-corruption expertise. It is recommended to accelerate the integration of artificial intelligence-based systems and LegalTech solutions into the unified electronic document management system of state bodies. This will allow for a comprehensive automated audit of departmental acts to identify legal conflicts and linguistic corruption-prone factors (such as excessive discretionary powers, unjustified exceptions to rules) even before their interdepartmental coordination stage.

Integration of risk matrices into personnel and procurement algorithms. It is proposed to automate the management of conflict of interest by synchronizing departmental maps (registers) of corruption risks with electronic databases for declaring the income and property of civil servants. Such integration will allow information and software complexes to automatically identify hidden affiliations (particularly during state tenders and procurement) and systematically block the possibility of decision-making by officials located in a zone of potential conflict of interest.

Adabiyotlar, References, Литературы:

1. Lutfullayeva M. Prevention of corruption as a necessary element in the fight against organized crime // Общество и инновации – Жамият ва инновациялар – Society and innovations. Special Issue 04 (2026). – P. 38-42. – ISSN 2181-1415.
2. Mavlonova K. Anti-corruption compliance control as an effective tool for combating corruption // Общество и инновации – Жамият ва инновациялар – Society and innovations. Special Issue 11 (2023). – P. 66-73. – DOI: <https://doi.org/10.47689/2181-1415-vol4-iss11/S-pp66-73>.
3. Абдурахмонов А.О. Проблемы и недостатки действующей системы комплаенс-контроля в Республике Узбекистан // Universal Journal of Law, Finance and Applied Sciences. – 2025. – Vol. 3, Issue 25. – P. 41-47. – ISSN 2992-880X.
4. O‘zbekiston Respublikasining “Ho‘jalik yurituvchi subyektlar faoliyatini davlat tomonidan nazorat qilish to‘g‘risida”gi Qonuni: 1998 yil 24 dekabr, 717-I-son (oxirgi tahriri bilan) // O‘zbekiston Respublikasi qonun hujjatlari ma’lumotlari milliy bazasi. – URL: <https://lex.uz/docs/-28144>
5. Normativ-huquqiy hujjatlar va ular loyihalarida korrupsiyani keltirib chiqaruvchi omillarni aniqlash uslubiyotini tasdiqlash haqida: O‘zbekiston Respublikasi Adliya vazirining buyrug‘i, 20.10.2023 yildagi 17-mh-son // O‘zbekiston Respublikasi qonun hujjatlari ma’lumotlari milliy bazasi. – URL: <https://lex.uz/docs/-6649238>
6. Конфликт интересов: понятие, сущность, порядок урегулирования // Официальный сайт Администрации муниципального района Богатовский. – 2025. – 20 июня. – URL: <https://mrbogatovskiy.ru/dlja-grazhdan/prokuratura-bogatovskogo-rajona/6244-konflikt-interesov-ponjatie-suschnost-porjadok-uregulirovanija.html>
7. Охотский Е.В. Государственное управление: на пути к современной модели государственного менеджмента // Право и управление. XXI век. – 2014. – № 3. – С. 28-36.
8. O‘zbekiston Respublikasining “Korrupsiyaga qarshi kurashish to‘g‘risida”gi Qonuni: 2017 yil 3 yanvar, O‘RQ-419-son // O‘zbekiston Respublikasi qonun hujjatlari ma’lumotlari milliy bazasi. – URL: <https://lex.uz/docs/-3088008>
9. O‘zbekiston Respublikasi Prezidentining 2024 yil 30 sentabrdagi “O‘zbekiston Respublikasida korrupsiyaning oldini olish va unga qarshi kurashish tizimini yanada takomillashtirish to‘g‘risida”gi PF-163-son Farmoni // O‘zbekiston Respublikasi qonun hujjatlari ma’lumotlari milliy bazasi. – URL: <https://lex.uz/docs/-7962922>
10. O‘zbekiston Respublikasi Prezidentining 2019 yil 27 maydagi “O‘zbekiston Respublikasida korrupsiyaga qarshi kurashish tizimini yanada takomillashtirish chora-tadbirlari to‘g‘risida”gi PF-5729-son Farmoni // O‘zbekiston Respublikasi qonun hujjatlari ma’lumotlari milliy bazasi. – URL: <https://lex.uz/docs/-4355387>

11. O‘zbekiston Respublikasi Prezidentining 2022 yil 11 maydagi “Davlat boshqaruvi sohasida korrupsiyaviy xavf-xatarlarni bartaraf etish mexanizmlarini takomillashtirish va ushbu sohada jamoatchilik ishtirokini kengaytirish chora-tadbirlari to‘g‘risida”gi PQ-240-son qarori // O‘zbekiston Respublikasi qonun hujjatlari ma‘lumotlari milliy bazasi. – URL: <https://lex.uz/ru/docs/-6000285>
12. O‘zbekiston Respublikasining “Manfaatlar to‘qnashuvi to‘g‘risida”gi Qonuni: 2024 yil 5 iyun, O‘RQ-931-son // O‘zbekiston Respublikasi qonun hujjatlari ma‘lumotlari milliy bazasi. – URL: <https://lex.uz/uz/docs/-6952742>
13. O‘zbekiston Respublikasi Prezidenti Shavkat Mirziyoyevning Oliy Majlis va O‘zbekiston xalqiga Murojaatnomasi // O‘zbekiston Respublikasi Prezidentining rasmiy veb-sayti. – URL: <https://president.uz/oz/lists/view/8834>
14. O‘zbekiston Respublikasi Prezidentining 2024 yil 30 sentabrdagi “O‘zbekiston Respublikasida korrupsiyaning oldini olish va unga qarshi kurashish tizimini yanada takomillashtirish to‘g‘risida”gi PF-163-son Farmoni // O‘zbekiston Respublikasi qonun hujjatlari ma‘lumotlari milliy bazasi. – URL: <https://lex.uz/docs/-7962922>