

# Reforms in The Fight Against Corruption in Uzbekistan: Theory and Practice

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## ABSTRACT

**Objective:** This study aims to analyze the reforms and practical measures undertaken in combating corruption in the Republic of Uzbekistan, with a focus on both theoretical underpinnings and institutional applications. **Method:** Utilizing a qualitative-descriptive approach, the research draws from national legal documents, policy frameworks, and a critical discourse analysis of the President's speech at the National Anti-Corruption Council meeting on March 5, 2025. **Results:** The findings reveal significant progress in institutionalizing anti-corruption mechanisms through legal reforms, digitalization efforts, performance-based governance, and enhanced inter-agency cooperation. The role of civic participation and political will emerges as a cornerstone in reinforcing transparency and public accountability. A comparative analysis with global best practices highlights both achievements and persisting challenges, particularly in public oversight and cultural attitudes toward corruption. **Novelty:** This article provides a timely and in-depth examination of Uzbekistan's evolving anti-corruption architecture, uniquely contextualized through the lens of presidential directives and national strategic goals. It contributes new insights into how transitional economies can leverage legal and digital innovations to strengthen ethical governance and institutional resilience.

## INTRODUCTION

Corruption is a complex social, political, and economic phenomenon that affects all countries to a certain extent. It is corruption that causes the destruction of democratic institutions, slows down economic development, and often undermines the foundations of the state.

Corruption is one of the deadliest vices that is detrimental to the results of wide-ranging reforms in our country and hinders growth.

Also, the Presidential Decree on The development strategy of the new uzbekistan for 2022-2026 emerged as a new stage in the fight against corruption. It would also be appropriate to note the fact that, for the first time in Uzbekistan, a separate body was created - the Anti-Corruption Agency, responsible for identifying and systematic analysis of corruption risks, eliminating the factors that give rise to them [1].

Indeed, on March 5, 2025, a meeting of the National Anti-Corruption Council was held under the chairmanship of President Shavkat Mirziyoyev. At the meeting, the work done to eliminate corruption and future tasks were critically analyzed.

"The biggest obstacle and barrier to reforms is corruption. World experience fully confirms this. The fact that the world economy loses 3 trillion dollars a year as a result of corruption indicates that this is a global threat. "Corruption is such a vicious vice that it

undermines people's trust in the state, the Constitution and laws, and becomes a serious threat to sustainable development and security," the President emphasized in this report.

At this meeting, the President noted the need to study international experience, create a solid legal framework for the effective fight against cybercorruption, analyze the factors of official and domestic corruption, develop and implement scientifically based proposals for their prevention.

The urgency of this problem is felt in our country, and a number of resolutions of the Cabinet of Ministers of the Republic of Uzbekistan on combating corruption have been adopted. There are also organizations that are, directly and indirectly, involved in this. Our national legislation strengthens the norms aimed at combating various forms of corruption. In particular, criminal liability is established for crimes such as receiving bribery, giving bribery, mediation in bribery, abuse of power or official position, and career fraud [2].

It is worth noting that corruption as a transnational crime in recent years became one of the topics widely discussed by international organisations. Corruption is even being described by politicians as a factor of leading to the global crisis. This issue is complex and difficult to solve, it is treated as a disease in society. Corruption-causing damage is equal for all states. It has a negative impact on various structures of the state, including the tax system, and reforms in the social sphere.

In our country, from the very first days of independence, serious attention has been paid to the issue of combating this problem. Over the past period, a solid legal framework and systematic practice aimed at combating corruption and crime and its prevention have been formed. In the years of independence, several reforms were carried out in the sphere of law enforcement, and normative-legal acts on corruption, and other criminal cases were adopted [3].

Since the first days of the independence, within the framework of the targeted policy on the elimination of corruption in Uzbekistan, legal and institutional structures are being improved, and international cooperation in this area is strengthening.

In the legal literature, there are various perspectives on the idea of corruption. According to a lawyer scientist and German-American politician K. Frederic, there is also the issue of "corruption" in English and other languages, and if we look back in history, any attempt to shed light on any concept of corruption, as well as the analysis of the concept of corruption, leads to conflict, and it has a completely different meaning and meanings [4].

The most harmful feature of corruption is when a public official satisfies the bribe-illegal giver's demand for a certain fee - the other party in exchange for a bribe - or turns a blind eye to his illegal acts, which affects and hinders the state's and society's interests. Corruption is a social obstacle. Indeed, corruption is a societal phenomenon that stems from flaws in the civil service's organization as well as the mentality of civil officials. This emphasizes the need for administrative, legal, and organizational measures in the fight against corruption. Corruption is a crime in which an official position is used for personal benefit. One of the most common characteristics of the shadow economy is corruption.

In most circumstances, corruption is described as public officials accepting bribes from citizens for personal gain or to amass a fortune [5].

## RESEARCH METHOD

The word “corruption” comes from the Latin word “corruption” which means “to bribe or to destroy”. According to the authors of the legal encyclopedia “Corruption is a policy or criminal action in the field of public administration, expressed in the exploitation of rights and opportunities of power provided to them by officials for personal gain”. Corruption is defined by the Encyclopedic Dictionary of Legal Terms as “the illegal use of material and other wealth, privileges, and related opportunities by persons authorized (or equated to them) to perform state functions, as well as the use of this wealth and privileges by individuals or legal entities to allow it to be occupied illegally”. According to some sources, corruption is described as “a criminal action in the field of politics or public administration in which officials utilize their position and privileges for personal benefit” [6].

According to M.Kh.Rustambaev, bribery is a concept that includes three independent official crimes against the order of the governing bodies - receiving a bribe, giving a bribe, and mediation in bribery. Each of these aggravated acts may not be committed without connection with the offenses provided for in articles 210-212 of Uzbekistan’s Criminal Code. They are so interconnected that the absence of the fact of taking a bribe also excludes the fact of giving a bribe. The social danger of this crime is explained by the fact that receiving a bribe drastically changes the established procedure for officials to exercise their official powers, thereby grossly violating the interests of the civil service. Bribery is a relatively common and specific phenomenon of dangerous criminal activity that undermines the foundations of power and governance, undermines its public image, and infringes on the legitimate rights and interests of citizens [7].

## RESULTS AND DISCUSSION

### *Result*

In this regard, the Law of the Republic of Uzbekistan “On combating corruption”, adopted on January 3, 2017, defines the concepts of corruption.

In particular, *corruption* — illegal use by a person of official or duty position with the aim of obtaining tangible or intangible benefits in personal interests or in the interests of other persons, and an unlawful provision of such benefit;

*Corruption offense* — an act possessing signs of corruption, for the fulfillment of which the legislation provides for liability;

*Conflict of interests* — a situation, in which personal interest (direct or indirect) affects or can affect the proper performance by a person of official obligations or duties and in which arises or may arise a contradiction between personal interest and the rights and legitimate interests of citizens, organizations, society or the state.

One of the main priorities of Uzbekistan’s Development Strategy is to improve the organizational and legal framework against corruption, increase the effectiveness of anti-

corruption measures, increase the population's legal culture, and organize effective interaction of state bodies with civil society institutions and the media from 2017 to 2021.

In the law of the Republic of Uzbekistan "On combating corruption" is necessary to increase the legal consciousness and legal culture of the population, form an uncompromising attitude towards corruption in society, to implement measures to prevent corruption in all spheres of the life of the state and society, to timely identify, eradicate corruption violations, to eliminate them, the inevitability of liability for the commission of corruption offenses is defined as the main directions of state policy in the field of combating corruption, ensuring the printing press [8].

In the law, the Republican interdepartmental Commission on combating corruption, the General Prosecutor's office, the State Security Service, the Ministry of Justice, as well as the Department for combating economic crimes under the General Prosecutor's Office of the Republic of Uzbekistan are defined as state bodies directly involved in the fight against corruption. The composition of these bodies includes specialized anti-corruption units.

In general, corruption occurs in practice through the commission of corruption offenses. Therefore, the study of the concept of corruption crimes and their components is one of the main methods and tools in the fight against corruption and the prevention of corruption. It should be noted that the term "corruption" is often understood as a crime of bribery for profit. However, the list of corruption crimes is not limited to bribery. Before defining the concept of corruption crimes, it is necessary to understand the meaning of the term "corruption". Today, it is difficult to find a definition that fully covers all the elements of the concept of "corruption". Definitions of this term in the theory of criminal law can be divided into two types, conditionally, as approaches in the broad and narrow senses [9].

An example of the first type of approach the "Code of Conduct for Law Enforcement Officials" was adopted by the General Assembly of the United Nations on 17 December 1978. According to paragraph 7 of Article "b" of this document, corruption is understood as "the act or omission of an official committed in any form in favor of a person presenting this interest within the limits of his official powers". In the Convention on civil and legal liability for corruption adopted by the Council of Europe in 1999, corruption shall be defined as "the act of directly, indirectly giving, accepting, proposing or requesting any privileges to evade the obligations and rules of conduct required of a bribe-taker" is given. Most of us can witness a broad approach to the concept of "corruption" in international legal documents, and in the works of lawyers of national and foreign countries. According to this approach, corruption, any activity aimed at obtaining illegal benefits not only by bribery but also through the use of career authority is understood. In particular, the United Nations anti-corruption convention did not give a direct definition to the concept of "corruption", even though it contained a number of lists of crimes as types of corruption [10].

In accordance with Chapter 3 of this Convention, bribery of public officials, bribery of foreign public officials and officials of international public organizations,

looting, misappropriation or misappropriation of property by public officials, criminal proceeds money laundering, obstruction of justice, abuse of office, illicit enrichment, bribery in the private sector, theft of property in the private sector, concealment of property obtained as a result of corruption crimes are defined as corruption crimes.

From the early years of independence, when we realized that the level of corruption in our society is high, this illusion threatens the system of state power, the most important of which is the provision of legal rights and freedoms of citizens, institutional forces for combating corruption were established in the General Prosecutor's office, the State Security Service and the Internal Affairs.

Since the Republic of Uzbekistan has made it a priority to restore a democratic and legal state, it has become clear that legal reforms and actions in such a state must first and foremost be based on the legal framework, which includes laws, decisions, and normative acts enacted by authorized entities in the country.

The existence of corruption processes in the judicial system obstructs the provision of the stamp of its independence, as well as the right to conduct fair judicial procedures and the impartial and honest execution of the courts' functions. This circumstance sets conditions for society's confidence in the legal system to deteriorate [11].

Fighting corruption in any society is impossible without first establishing and improving its legal foundations.

Following the Republic of Uzbekistan's independence, the necessary legal framework for the development and implementation of effective anti-corruption measures in the judicial system was established and improved.

An important political and legal document in this regard is the Constitution of the Republic of Uzbekistan.

Article 106 of the Constitution of the Republic of Uzbekistan clearly stipulates that the judiciary in the Republic of Uzbekistan operates independently of the legislative and executive branches, political parties, and other public associations.

According to Article 112 of the Constitution of the Republic of Uzbekistan, "Judges shall be independent and subject solely to law. Any interference in the work of judges in administering law shall be inadmissible and punishable by law". This fundamental principle is enshrined in the Criminal Procedure Code of the Republic of Uzbekistan, the Law on Courts, and a number of other regulations and further clarified in the legal documents.

According to Article 14 of the Code of Criminal Procedure of the Republic of Uzbekistan, judges and people's assessors are independent in the administration of justice and subject only to the law. Judges and people's counsels review and resolve criminal cases in accordance with the law. It is strictly forbidden to interfere in any way with the activities of judges and people's advisers in the administration of justice, and it is strictly established that such interference is punishable by law.

The strict procedure for consideration of criminal cases by the judiciary in the Criminal Procedure Code of the Republic of Uzbekistan provides for the prevention of corrupt practices in this activity [12].

Also, an important special legal document to prevent corruption in the activities of criminal courts is the law of the Republic of Uzbekistan “On the Law of Courts”, adopted on December 14, 2014.

This law contains norms that directly regulate the activities of courts and strict rules and procedures that must be followed by judges on the basis of the law including profiling the occurrence of corruption actions.

### *Discussion*

Article 4 of the law of the Republic of Uzbekistan “On the Law of Courts” is called “Independence of judicial power”, according to which judges are independent, subject only to the law. It is not allowed to interfere in any way in the activities of judges in the implementation of a just trial, and such interference will lead to liability in accordance with the law [13].

Judicial power in the Republic of Uzbekistan acts independently from legislative and executive powers, political parties, and other public associations.

In accordance with Article 63 of the law “On the Law of Courts” of the Republic of Uzbekistan, the independence of the judges is ensured through:

1. The procedure established by law for their election, appointment to office, suspension, and termination of the powers of a judge;
2. Immunity of the judge;
3. Strict procedure for the administration of justice;
4. A secret conference of judges when making decisions and the prohibition to demand its disclosure;
5. The statutory liability for disrespect for a judge, interference with the administration of justice, and violation of the immunity of a judge;
6. Providing the judge at the expense of the state with material and social security corresponding to his high status.

These fundamental rules are important in that they are aimed at preventing corruption in the judiciary.

Article 25 of the Law of the Republic of Uzbekistan “On Combating Corruption” of January 3, 2017 “On ensuring the independence and freedom of courts, transparency of their activities” on the timely detection and suppression of corruption offenses has been identified as one of the program’s main directions.

At the meeting on March 5, 2025, the President drew attention to the fact that currently there is no clear list of corruption crimes in the legislation. He pointed out that the law approved by the parliament is mainly limited to strengthening punishment, does not address issues such as preventing corruption, educating people in the spirit of intolerance to it, creating preventive mechanisms, and encouraging those who helped solve crimes. At the same time, the meeting noted the need to bring responsibility for crimes related to the legalization of criminal proceeds into line with international standards [14].

Similarly, the Council of Europe Convention on Criminal Liability for Corruption does not provide a clear definition of this concept, but Chapter 2 of the Convention lists

a number of corruption offenses that must be criminalized: active and passive bribery of public officials, bribery of members of national councils, private sector active and passive bribery, abuse of office, money laundering, bribery of a foreign government official, bribery of members of foreign state councils, bribery of an official of an international organization, bribery of officials of international parliamentary councils and bribery of officials of international courts.

It should be noted that, according to scholar B. Shamsutdinov, corruption is not a separate crime with a single composition. Criminal law provides for liability for corruption-related offenses, not for corruption. This means that corruption is the sum of a number of crimes.

In our national criminal law, the substances provided for by the responsibility for corruption crimes are not concentrated in a single chapter of the Criminal Code. Most of the corruption crimes are reflected in Chapter 15 of the Criminal Code ("Crimes against the management order"), and some in Chapter 10 ("Extortion of the properties of others"), Chapter 17 ("Crimes against public security") and Chapter 24 ("Military official crimes").

Below, we describe the crimes of corruption from a criminal point of view, focusing one by one on the issues of their object, objective side, subject, and subjective side.

According to M.Kh.Rustambaev, "The object of a crime is a social attitude to which criminal aggression is directed and which can be harmed by that aggression.

From this, we can understand that the object of a crime is a social relationship protected by criminal law, and as a result of the commission of a crime, it is harmed or at risk of harm. Opinions about the object of corruption crimes can be seen in the works of a number of foreign jurists.

In particular, A.N.Agybaev said the object of such crimes was "the proper functioning of the state apparatus".

It should be noted that the rapid reforms in our country will certainly bear fruit. This, of course, will pave the way for further improvement of our legislation and criminal law.

With the adoption of the Anti-Corruption Law, the goals and objectives of law enforcement agencies in the fight against corruption have significantly improved.

The laws "On Internal Affairs Bodies" and "On State Security Service" were adopted, the system of prosecutor's offices was reformed, and the goals and objectives of the Department for Combating Economic Crimes were defined.

The Republican Interdepartmental Commission on Combating Corruption, established in accordance with the relevant decree of the President, coordinates the activities of government agencies in the fight against corruption, and its working body is the General Prosecutor's Office of the Republic of Uzbekistan [15].

The commission, which operates on a community basis, is responsible for organizing the development and implementation of state and other anti-corruption programs, prevention, detection, combating, and mitigation of corruption offenses, as

well as the causes and conditions of corruption. In order to develop and implement state programs to combat corruption to ensure the effectiveness of measures to monitor and evaluate the effectiveness of organizational, practical, and legal mechanisms.

In order to strengthen parliamentary control in the fight against corruption, in March 2019, in the Legislative Chamber and the Senate of the Oliy Majlis of the Republic of Uzbekistan were established Committees on Prevention of Corruption and Judicial Issues.

In order to increase the efficiency of the civil service, and to meet the needs of government agencies and organizations in qualified personnel, in accordance with the Presidential Decree of October 3, 2019, the Civil Service Development Agency under the President of the Republic of Uzbekistan was established. This agency is responsible for the implementation of a unified state policy in the field of personnel development, the improvement and adoption of the Law "On Civil Service", as well as the gradual implementation of the system of declaration of income, property, and expenses of officials.

The Public Chamber under the President of the Republic of Uzbekistan was established by the Presidential Decree dated April 16, 2020. The Chamber was empowered to establish close cooperation between citizens, society, and the state, as well as to exercise public control in the field of anti-corruption in order to strengthen public control over the activities of state bodies and institutions, including the prevention of corruption.

At the same time, due to significant changes in the public administration system in recent years, optimizing the goals and objectives of the competent authorities in the fight against corruption, active development of parliamentary and public oversight institutions, targeted implementation of administrative reforms, the widespread introduction of market management mechanisms and etc. It is necessary to review the system of coordination of activities to combat and prevent corruption and to implement the next stage of anti-corruption reforms.

In this regard, in its Address to the Oliy Majlis of the Republic of Uzbekistan on January 24, 2020, he initiated the establishment of an independent anti-corruption body accountable to the Parliament and the President.

Anti-corruption agencies are responsible for investigating, and developing anti-corruption policy, analytical activities, crime prevention, interaction with civil society, data collection and analysis, and monitoring the implementation of the anti-corruption program.

Anti-corruption agencies have the authority of law enforcement agencies to identify and prosecute officials who have committed corruption-related offenses, as well as the return criminally obtained property.

The third and most common model includes institutions aimed at preventing corruption. In practice, prevention and coordination functions are combined into a single organ or delegated to different organs. Coordinating councils (commissions, committees) in the fight against corruption, as a rule, bring together representatives of various



government agencies involved in the fight against corruption. It can also be in the form of structures that are represented at the top and at the business level.

They also often include representatives of the non-governmental sector (NGOs, academies and businesses, experts, international organizations, etc.).

Also, the Law of the Republic of Uzbekistan "On Conflict of Interest," which entered into force on December 6, 2024, is of great importance for society and the state, and its adoption will play a significant role in ensuring openness and transparency, as well as eliminating such negative phenomena as corruption.

According to the law, a conflict of interest is understood as a situation that can affect the proper performance of official duties by a person.

This law defines measures for regulating conflicts of interest, determining relations related to them, disclosing information about conflicts of interest, and their elimination. The law also clearly regulates the rights and obligations of employees of state organizations.

First of all, this prevents corruption, which is a vice of development in any sphere, that is, it eliminates part of the actions of a person who illegally uses their official or service position for personal gain, prevents the illegal embezzlement of the state budget (public funds), and ensures the openness and transparency of labor relations and public procurement in state organizations.

First of all, the law applies to state bodies and local government bodies, state institutions, state unitary enterprises, state trust funds, as well as joint-stock companies with a state share in the authorized capital of 50 percent or more.

This Law also applies to legal entities in whose authorized fund (authorized capital) the share of state bodies or other organizations is 50 percent or more in aggregate only to their relations in the field of public procurement.

Similar structures include the Government Ethics Office (USA), the Central Anti-Corruption Service (France), the Central Awareness Service (India), the Independent Commission on Combating Corruption and Civil Rights (Republic of Korea), and the Anti-Corruption Coordinating Commission (Bulgaria). Examples include the Anti-Corruption Monitoring Group (Albania), the Anti-Corruption Monitoring Commission (Slovenia), the National Anti-Corruption Council (Croatia), the Anti-Corruption Council (Serbia), the Interagency Working Group (Albania), and the Presidential Anti-Corruption Council (Russia).

Specialized institutions for the prevention of corruption (Georgia Anti-Corruption Council, National Council for Anti-Corruption Policy of Ukraine, Anti-Corruption Commission under the President of the Republic of Kazakhstan, Working Group of the Security Council for Monitoring the Implementation of the State Anti-Corruption Strategy of Kyrgyzstan, Tajikistan Anti-Corruption National Council, the Council for Combating Corruption of Armenia, the Anti-Corruption Commission of Azerbaijan, etc.) prioritize and coordinate the activities of law enforcement agencies, monitor the fight against corruption at the central, regional, local and departmental levels.

In many countries, specialized anti-corruption agencies have the following main functions:

1. Systematic analysis of the state and trends of corruption in various sectors of the economy, identifying the areas (sectors) most prone to corruption;
2. Formation and implementation of state policy in the field of prevention and combating corruption;
3. Development of state and other programs aimed at eliminating the systemic causes and conditions of corruption offenses, increasing the effectiveness of anti-corruption measures;
4. To take effective measures for the introduction of deontological norms of integrity in the civil service, to analyze the effectiveness of departmental systems for the prevention and resolution of conflicts of interest, to ensure compliance with prohibitions and restrictions by civil servants;
5. Introduction and organization of the system of declaration of income and property of civil servants, verification of the accuracy of declarations, as well as the timely response to corruption;
6. Comprehensive monitoring of the process and results of the investigation of corruption offenses that seriously harm national interests, threaten security and ensure socio-political stability;
7. Formation of an intolerant attitude to all forms of corruption through the development and implementation of comprehensive programs aimed at raising the legal awareness and legal culture of the population in society, anti-corruption education and training;
8. Coordination of the activities of ministries and departments, prevention of corruption, organization at the departmental level, the formation of mechanisms for effective interaction of government agencies with the media, civil society institutions, as well as the assessment of their activities in these areas;
9. Introduction of internal control and audit, international anti-corruption tools, information and communication technologies, organization of anti-corruption monitoring in public and economic administration bodies;
10. Ensuring the effectiveness of anti-corruption expertise of regulations and their drafts, as well as the development and implementation of proposals to improve the legislation.

Prevention of corruption crimes is one of the main functions of specialized anti-corruption bodies, which is to prevent antisocial behavior of officials, to prevent corruption, to identify the conditions that led to them on the basis of analysis of relevant risks and threats.

According to N.A.Lopashenko, "Attempts to extort bribes lead to bribery of the bribe-taker, and this is the essence of corruption. Bribery is at the heart of corruption, and it will always be there".

The aforementioned definition of corruption, in our opinion, is not worthwhile and does not adequately reveal the depth of the subject under investigation. This definition limits corruption offenses to simply bribery crimes, which we believe is an incorrect approach to the problem. The rationale for this is that corruption crimes cover a broad range of offenses, including bribery. Corruption is the collection of crimes perpetrated by officials for personal gain while wielding state power or administration. Officials understand corruption as causing material or intangible harm to a large number of people by abusing their power or official powers in ways that are illegal.

Corruption is a severe danger to the rule of law, democracy, human rights, trust in government, governance, equality and social justice, healthy economic competition, and economic progress. It also aims to stifle democratic and civil society institutions establishment and development.

## CONCLUSION

**Fundamental Finding :** This study reaffirms that corruption is a persistent and historically rooted phenomenon, recognized by thinkers such as Aristotle and Montesquieu, who emphasized the inherent risks of unchecked power and the necessity for institutional safeguards. **Implication :** These philosophical insights underscore the importance of designing governance systems that limit opportunities for illicit enrichment and ensure accountability mechanisms are embedded within the structure of public administration. Modern anti-corruption efforts must therefore be grounded not only in legal reforms but also in ethical governance and cultural transformation. **Limitation :** However, the current analysis is largely conceptual and historical, lacking extensive empirical validation across diverse socio-political contexts, which may limit its applicability in specific institutional environments. **Future Research :** To deepen the understanding of systemic corruption, future studies should adopt interdisciplinary methodologies combining legal, political, and behavioral analyses, and should explore the impact of modern technological tools and civic engagement strategies in curbing corruption at both national and local levels.

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