

ARTICLES

# The Effect on Anti-Corruption of the Customs Information Systems of the Republic of Uzbekistan

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This article discusses areas of corruption risk in customs procedures using non-tariff regulation of foreign trade as an example. Analysis of normative legal acts and the main stages involved in the issuing of permits required for customs clearance of import operations was performed. The most probable areas of corruption risk in the certification of goods are determined and calculations of the anti-corruption effectiveness of customs information systems of the Republic of Uzbekistan are detailed.

## 1. Introduction

Maintaining the Corruption Perceptions Index as an indicator of the degree of corruption in the world has become one of the hallmarks of the 21st century. Since the 2000s, when the world began to speak openly about and discuss the problems of corruption, several international legal documents have been adopted that are aimed at removing this problem from society. In particular, the *United Nations Convention against Corruption* (United Nations Office on Drugs and Crime [UNODC], 2004) and the *Legislative guide for the implementation of the United Nations Convention against Corruption* (UNODC, 2012) have been adopted.

The fight against corruption is carried out in different countries with different timeframes, depending on the manifestation of its elements. For example, in the United States, the first legal document, the *Foreign Corrupt Practices Act*, which outlawed the bribery of foreign officials, was adopted in 1977.

In the Republic of Uzbekistan, the *Law on Combating Corruption* was adopted on 3 January 2017. Since then, issues in combating corruption have been under the special control of the President and the Government of the Republic. In a newspaper interview, President of the Republic of Uzbekistan Shavkat Mirziyoyev noted that in 2020, 1,723 officials of various levels were held accountable for corruption crimes (Doniyorov, 2021). The damage caused by them amounted to UZS500 billion. The President stated that ‘...for five months of 2021, criminal proceedings were initiated against 1,696 officials.

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The damage caused by them amounted to 450 billion Uzbek soums. Policies to remove the scourge of corruption from our society will continue to be critical in the future' (Doniyorov, 2021).

To transform economic sectors, unconditionally ensure human rights and interests, form an active civil society able to analyse in-depth the complex global processes and results of the past stages of the country's development, the President of the Republic of Uzbekistan approved the *Development Strategy of New Uzbekistan for 2022–2026* (National legislation of the Republic of Uzbekistan, 2022). One of the goals (Goal 84) of this Strategy is 'identification of areas and industries prone to corruption, increasing the efficiency of the system for preventing corruption factors, and forming an uncompromising attitude in society towards corruption.' The main tool for achieving this goal is the 'introduction of modern information technologies, including artificial intelligence, in the fight against corruption.'

The history of the fight against corruption in customs authorities at the international level officially begins with the 'Declaration of the Council for Customs Cooperation on Good Governance and Combating Corruption in Customs', adopted on 7 July 1993 and updated in June 2003 (World Customs Organization [WCO], 2003). This declaration defines the conditions for the manifestation of corruption risks as follows: 'Corruption typically occurs in situations where outdated and inefficient practices are employed and where clients have an incentive to attempt to avoid slow or burdensome procedures by offering bribes and paying facilitation fees' (key factor 5)' (WCO, 2003).

Based on this definition, researchers of customs corruption focus on 'slow or burdensome procedures'. Brovka and Nazarchuk (2019) suggest methods for analysing the causes of corruption in Customs using three forms of analysis: causal, scale and consequence. At the same time, it is the scale of corruption that acts as the analytical 'core', since the two other areas (causal and consequence) are considered based on this indicator.

Analysing international experience using the examples of Denmark, Finland, Germany and other countries of the European Union, Alekseeva and Bugaeva (2020) conclude that the leading states combating corruption adhere to, for example, the simplification of bureaucratic mechanisms in customs affairs, the improvement of anti-corruption legislation, and the increase in punishment for behaviour at the level of public condemnation.

Work by the anti-corruption departments of the customs authorities of the Russian Federation during 2012–2021 allowed Rozhkova and Rozhkov (2021) to develop and analyse acts of corruption from the client side and from the customs side and the quantitative component of participants in corruption schemes.

It should be noted that a large proportion of researchers of corruption in customs authorities focus their attention on studying the causes, extent and consequences of corruption only in customs authorities. No special attention is paid to the corruption risk posed by other authorised bodies related to

customs procedures and customs clearance. This is even though it is known that such risk has a strong impact on the organisation of transparent customs control.

The areas of corruption risk associated with customs procedures and customs clearance are examined below, using the example of certification of goods by authorised bodies.

## **2. Analysis of areas of corruption risk in the certification of foreign trade goods**

The customs authorities of the Republic of Uzbekistan are actively continuing to work on the digitalisation of all processes. An increase in the scale of digitalisation of customs authorities to 100 per cent is planned in the near future. New information systems such as E-Transit, Archive, Cargo Operations and others have been launched in a pilot mode. Information systems, which are currently installed in almost all customs authorities, make it possible to automate and ensure the security of all customs clearance procedures (Mavlonov, 2022).

In 2020, the Customs Information System (CIS) Single Window was introduced into the activities of the customs authorities of the Republic of Uzbekistan. The concept and technical platform of this system was developed by customs specialists based on that of developed countries. The operation of the Single Window in the last few years has shown its effectiveness: the time for issuing permits required for the customs clearance of goods has been reduced, and revenues to the state budget from customs payments have increased.

Currently, 12 authorised bodies responsible for issuing permits and 56,516 participants in foreign economic activity (FEA) are registered in the CIS Single Window. The number of remotely processed permission documents required for customs clearance for 2020 was 559,121 units, for 2021, 561,188 units, and for 10 months of 2022 was 429,239 units. The time for issuing permits required for customs clearance of goods was reduced 2.6-fold.

At the same time, analysis of the results of the application of the CIS Single Window shows that there are certain areas that need to be improved.

Not all authorised bodies responsible for issuing permits required for customs clearance are integrated into the CIS Single Window. In addition, there are no opportunities through the CIS Single Window to receive 12 types of permits related to the movement of narcotic and psychotropic substances across the customs border, was originally planned. This influences the efficacy of the CIS Single Window.

Therefore, it is urgent to investigate and prove the effectiveness of this system, not only to reduce the time taken in issuing permits required for customs clearance of goods, but also in reducing areas of corruption risk, which is vital for ensuring the economic security of the country.

As well as incurring additional time and financial costs for a foreign trade participant, the methods of non-tariff regulation of foreign trade in the form of 'technical restrictions' also give rise to areas of corruption risk. Below are

the results of an analysis of the process of issuing permits required for customs clearance of import operations of goods with the Harmonized Commodity Description and Coding System Nomenclature FEA (CN FEA) code 1001990000: wheat and meslin. The analysis was carried out based on regulatory documents before the introduction of CIS Single Window.

The study of regulatory documents shows that to perform this operation, it is necessary to certify the goods, that is, for customs clearance of this product, a Certificate of Conformity is required. A Certificate of Conformity is issued by certification bodies accredited by the UzStandard Agency. The process of product certification, in turn, gives rise to several more stages related to the issuance of a hygiene certificate, permission from the plant quarantine authorities and a veterinary certificate.

The process of issuing a permit or certificate for the import of controlled goods can be divided into three stages, as follows:

1. Preparatory: this includes consideration by the certification body of the application and the documents attached to it for products and the applicant themselves. The first stage ends with the decision on certification. This stage includes preparation of the document package, appeals to authorised organisations, documentation analysis and conclusion of an agreement on certification.
2. Main: offering a full range of evaluation work to confirm the conformity of products, from identification to testing samples in an accredited laboratory. The components of the second stage depend on the certification scheme. This stage includes sampling and testing.
3. Final: considers the results obtained from the second stage and the decision to issue a Certificate of Conformity for products. This stage includes analysis of the results, certificate preparation, certificate registration and issuance.

[Table 1](#) summarises the sequence of issuing a permit document by three authorised bodies - the Center for State Sanitary and Epidemiological Surveillance of the Ministry of Health, the State Plant Quarantine Inspection under the Cabinet of Ministers, and State Committee of Veterinary and Livestock Development of Uzbekistan.

Further, in the Appendix *Regulation on the procedure for conducting product certification*, approved by the *Decree of the Cabinet of Ministers of the Republic of Uzbekistan No. 318* dated 6 July 2004 ‘On additional measures to simplify the product certification procedure’ (National legislation of the Republic of Uzbekistan, 2004), the following rules are established:

3. Certification is carried out, as a rule, in two stages according to the diagram in the Appendix.

Table 1. The stages of issuance of permit documents required for customs clearance of import operations

Number	Function
<b>Preparatory stage</b>	
1	Contacting Certification Bodies
2	Preparation of a package of documents for sanitary and epidemiological surveillance
3	Preparation of a package of documents for plant quarantine inspection
4	Preparation of a package of documents for veterinary control
5	Appeal to the bodies of sanitary and epidemiological supervision
6	Appeal to the plant quarantine inspection authorities
7	Appeal to the veterinary control authorities
8	Analysis of documentation and conclusion of an agreement on the issuance of a phytosanitary certificate
9	Analysis of documentation and conclusion of an agreement on the issuance of a veterinary certificate
10	Analysis of documentation and conclusion of an agreement on the issuance of a hygiene certificate
<b>Main stage</b>	
11	Issuance of quarantine permits or refusal
12	The territorial body of veterinary control studies the epizootic veterinary situation in the corresponding administrative territory where it is planned to import the controlled goods
13	The territorial body of veterinary control applies in writing to the Chief State Veterinary Inspector of the Republic of Uzbekistan to issue a permit for the import of controlled goods
14	The Chief State Veterinary Inspector reviews the submitted application and decides whether to issue or refuse a permit for the import of controlled goods
15	The territorial body of veterinary control provides a written permit or refusal to import controlled goods
16	Selection of product samples for laboratory research and inspection of the facility for sanitary supervision
17	With a positive result from laboratory tests, as well as veterinary and phytosanitary conclusions, issue a hygienic conclusion to the applicant.
<b>The final stage</b>	
18	Submits an application with the necessary documents attached to the accredited body to obtain a Certificate of Conformity
19	Issue a Certificate of Conformity or a written refusal.

Source: author

The first stage includes the issuance of a hygiene certificate in the state sanitary inspection bodies accredited by the UzStandard Agency with the simultaneous issuance, as necessary, of veterinary and phytosanitary assessments, in the state veterinary inspection bodies and the state plant quarantine service, respectively. In this case, the subject of entrepreneurial activity has the right to:

- simultaneously with the application for issuing a hygiene certificate, apply for issuing a Certificate of Conformity to certification bodies accredited in the prescribed manner (hereinafter referred to as certification bodies)
- if necessary, independently apply to the bodies of veterinary and phytosanitary supervision to obtain the relevant conclusions.

The second stage is the issuance of a Certificate of Conformity by certification bodies.

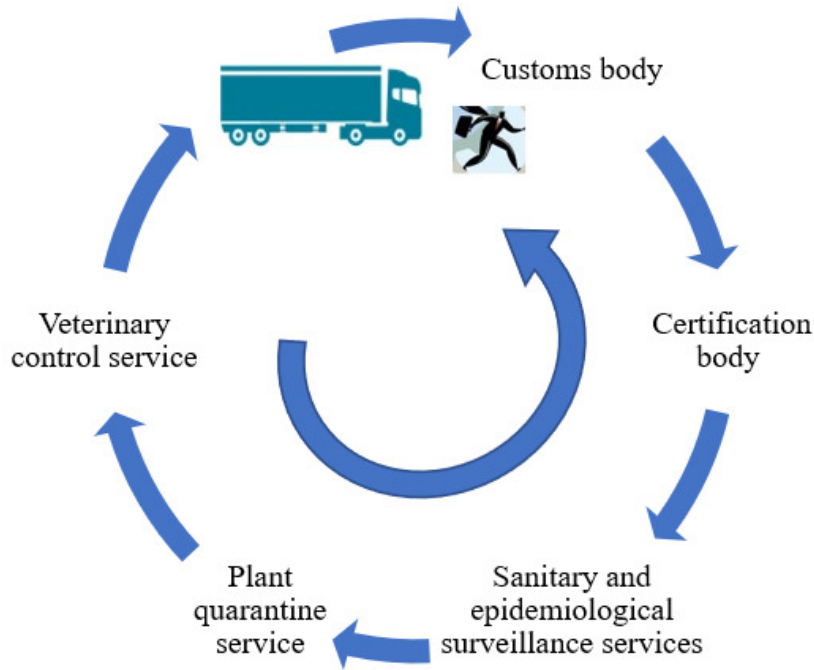


Figure 1. The process of certification of foreign trade goods with the CN FEA code 1001990000: wheat and meslin  
Source: author

[Figure 1](#) shows a diagram of the process of certification of foreign trade goods with the CN FEA code 1001990000: wheat and meslin, based on the above extract.

The extract above is noteworthy in that it advises FEA participants that ‘if necessary, independently apply to the veterinary and phytosanitary supervision authorities to obtain the appropriate conclusions’. In other words, the FEA participant is given ‘useful advice’ in the form: ‘The process of certification of goods is complex, it is necessary to obtain four documents of a permissive nature from different authorised bodies. We will help you. But if you don’t have much time, you can do it yourself, turn to them’ (*Decree of Cabinet of Ministers of the Republic of Uzbekistan No 318*).

Naturally, a foreign trade participant does not always have enough time and understands that time costs always generate financial ones. On the other hand, each authorised body has its own rules and regulations. To independently apply to them, a FEA participant must study their rules and prepare documents in accordance with the requirements of these rules. Added to these difficulties is the so-called ‘human factor’, which requires the FEA participant to be personally acquainted with one of these bodies.

With such difficulties, it is only natural that a FEA participant will look for a ‘way out of the situation’. Again, the *Regulation on the procedure for conducting product certification* will come to the rescue — paragraph 4 of this provision states that:

Certification bodies, in accordance with a written application of business entities, are entitled to provide agency services for certification and obtaining all necessary conclusions from state sanitary inspection bodies, state veterinary inspection bodies and the state plant quarantine service, as well as state nature protection bodies.

At the same time, certification bodies bear the responsibility, as well as responsibility for the sampling and their submission to the relevant state bodies. Payment for these services is carried out at the rates declared in the Ministry of Finance of the Republic of Uzbekistan. (*Decree of Cabinet of Ministers of the Republic of Uzbekistan No 318*)

The above quote from the regulatory document in force in 2006–2019 opens a direct path to corruption. The fact is that under such complicated conditions of goods certification, outlined in point 3 of this document, a foreign trade participant is forced to look for shorter and simpler solutions to this problem. Learning about the ‘agency services’ outlined in paragraph 4 of this document, the foreign trade participant is forced to negotiate with a representative of the certification body for an additional fee. Thus, the situation becomes vulnerable to corruption.

According to the analysis of the regulatory documents for the certification of goods above, Khakimova et al. (2022) conclude that all direct meetings between a foreign trade participant and an employee of an authorised body before a permit is issued pose the main areas of corruption risk.

### 3. Conclusion

In conclusion, the above analysis does not in any way accuse the authorised bodies issuing the permits required for customs clearance of import operations of corruption. This study is devoted to the analysis of hypothetical areas of corruption risk in the certification of foreign trade goods and the effectiveness of the CIS Single Window in reducing corruption zones.

In this case, the effectiveness of the CIS Single Window is expressed in quantitative form, given that during 2021, cargo customs declarations were issued for 9,179 consignments of goods with the CN FEA code 1001990000: wheat and meslin. The above analysis shows that for each batch of this product there are four areas of corruption risk. From this, we can conclude that during 2021 the CIS Single Window contributed to the reduction of 36,716 areas of corruption risk.

Daily monitoring of the activities of the customs authorities of the Republic of Uzbekistan shows that not only the CIS Single Window, but that all customs information systems contribute to the reduction of corruption risk. To date, the entire life cycle of customs administration is covered by more than 50 integrated customs authorities’ information systems. Of these, 39 per cent

are information systems for external management of customs procedures, 35 per cent are for internal management of customs procedures and 26 per cent are for internal administration of customs authorities.

Information systems for external management of customs procedures include systems such as E-Transit, Single Window, Cargo Operations and others that directly interact with FEA participants.

Information systems for internal management of customs procedures include systems such as Customs Expertise, Customs Payments, Risk Management and others, which are a tool for customs officers to carry out their functional duties related to customs procedures.

The information systems for internal administration of customs authorities include systems such as Accounting, Customs Officers, Corruption Risk Management and others that are not related to customs procedures.

These information systems have been introduced over the past few years in stages. The concepts and technical platform of these systems were developed by customs specialists based on those of developed countries.

According to the requirements of the *Decree of the President of the Republic of Uzbekistan No. 81, On measures to introduce a rating system for evaluating the effectiveness of anti-corruption work*, on 12 January 2022, an assessment system was introduced and on 15 June 2022, the first stage of assessment of organisations implementing anti-corruption standards in their system was completed. According to the results of 24 state organisations, the State Customs Committee took first place, scoring 91 points out of 100 (Anti-Corruption Agency of the Republic of Uzbekistan, 2022). The level of digitalisation and informatisation of state organisations was adopted as one of the important criteria for assessing the effectiveness of anti-corruption activities.

Concluding the analysis of the effectiveness of the CIS Single Window, it should be emphasised that, according to Khakimova et al. (2022), the concept behind this system provides for the integration of 17 authorised bodies to issue 45 permits for foreign trade operations.

Currently, the system covers only 12 authorised bodies and 26 permits. The possibility of processing seven types of permit documents required for customs clearance of goods through the CIS Single Window has been partially implemented, and 12 types of documents have not been implemented at all. The implementation of the CIS Single Window in full will give even more tangible results in reducing areas of corruption risk.

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