

Initiativen der Weltzollorganisation im Kampf gegen Korruption

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Zusammenfassung: Der Artikel beschreibt die Erfahrungen der Weltzollorganisation im Kampf gegen die Korruption und die auf ihrer Grundlage erzielten Ergebnisse, die Zusammenarbeit zwischen der Organisation und dem Staatlichen Zollausschuss, die erzielten positiven Ergebnisse, die wichtigsten Strategien und Ziele, die heute vorgeschlagen werden .

Schlüsselwörter: Weltzollorganisation, Arusha-Erklärung, Kyoto-Konzept, digitaler Zoll, Risikomanagementsystem, Strategie, PICARD.

Initiatives of the World Customs Organization in the fight against corruption

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Abstract: The article describes the experience of the World Customs Organization in the fight against corruption and the results achieved on its basis, the cooperation between the organization and the State Customs Committee, the positive results achieved, the main strategies and goals being put forward today.

Keywords: World Customs Organization, Arusha Declaration, Kyoto Concept, Digital Customs, Risk Management System, Strategy, PICARD.

Introduction

The issue of fight against corruption is proving day by day that it is one of the global problems that requires the action of not only one organization or state, but the peoples of the world.

Initially, Article 19 of the Johannesburg Declaration, adopted at the World Summit on Sustainable Development in Johannesburg, South Africa, from 26 August to 4 September 2002, stated that corruption threatens the sustainable development of nations. It has been almost 20 years since this document was adopted. However, due to its ability to change its shape and image, corruption still remains a global threat.

Development trends are leading to the emergence of new types of corruption. Today, concepts such as “e-corruption” and “digital corruption” are the subject of much debate. One such type of corruption is customs corruption. While customs corruption has a historical basis over other types, the importance of fight against it

has increased significantly in the 21st century, when terrorism, bacteriological and nuclear weapons, drugs and psychotropic substances trafficking is on the rise.

In recent years, as in other areas, corruption in customs is on the rise in all countries. Since the customs sector is based on transnational relations due to its activities, the occurrence of corruption in it will certainly have an impact on other countries. The interference of corruption in the movement of goods and citizens across customs borders, especially in the circulation of contraband goods, is not an issue that can be solved only by the material interest of the customs authority of one state. The commission of such transnational crimes requires the involvement of all state customs officers involved in the movement of contraband goods in the composition of international organized criminal groups.

Therefore, against the background of systematic measures to combat corruption in all countries, extensive work is being done to clean the customs authorities from corrupt elements.

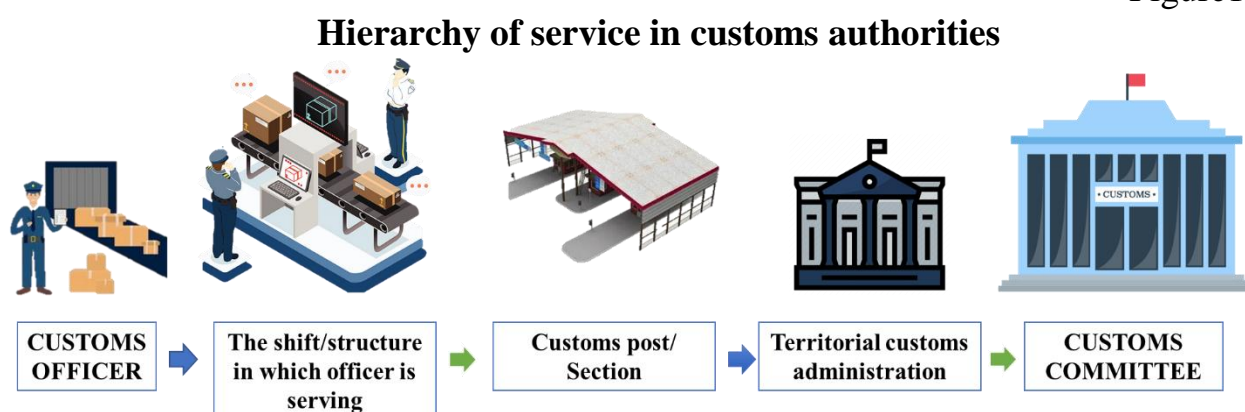
Analysis and results

a) relevance of the topic

The introduction of customs corruption requires an international study, starting with a system that was initially considered an object of study. This is because, in addition to the fact that the customs system of each country has subsystem elements at the national level, it should not be overlooked that this national customs system is a subsystem element of the World Customs Organization at the international level.

The issues of corruption in the national customs system and the fight against it, as well as the subsystem elements of this system should be considered as a separate system and each of them should be implemented separately. From the point of view of the overall system, the anti-corruption system can be divided into the following levels (Figure 1):

Figure 1.



This hierarchy shows that the system of combating corruption in the customs authorities should be formed in the same way. That is, the measures taken to combat corruption in the customs authorities should cover both the ordinary customs officer and higher structures.

Anti-corruption measures will also have different status. For example, it may be at the national level adopted by local anti-corruption councils, which is universally

binding, and at the international level of a recommendatory nature. The reason why the measures at the international level are of a recommendatory nature is that their implementation will depend on the decisions taken in accordance with the requirements of the national legislation of the Member States. Therefore, in international law, the concept of conditional acceptance is used in the ratification of international norms by states.

The most important anti-corruption measure at the international level is, of course, the Convention against Corruption, approved by United Nations General Assembly Resolution 58/4 of 31 October 2003.

However, in the preamble to the convention, the United Nations praised the work of a number of international and regional organizations in the fight against corruption and acknowledged it as evidence. One such international organization is the World Customs Organization (hereinafter referred to as the WCO).

Today, the WCO is an international center of experts on customs administration, and its reforms can be divided into 5 groups:

- standardization of customs procedures in different directions, but serving the same purpose;
- ensuring international cooperation and information exchange;
- risk management;
- ensuring sustainable development, including the provision of quality technical assistance;
- Given the role of the state in economic development, one of its main tasks is to increase the image of customs¹.

WCO also has its own strategic goals², which include:

Strategic goal 1: Simplification of world trade and ensuring security, cooperation, including simplification and generalization of customs procedures = economic competitiveness package;

Strategic goal 2: Cooperation on the legality, effectiveness and efficiency of fee collection = fee package;

Strategic goal 3: protection of public safety and health = compliance and implementation package;

Strategic goal 4: strengthening institutional development = organizational development package;

Strategic Goal 5: Cooperation with all stakeholders to share information;

Strategic goal 6: increase the value and efficiency of customs;

Strategic goal 7: is to conduct research and analysis.

The most important element in achieving these goals is the fight against corruption.

b) Initiatives of the World Customs Organization

The focus on fight against corruption by the WCO began long ago. The organization has held numerous forums and meetings among its members to fight against corruption and improve professional ethics in service. After that, the Council of Customs Cooperation held a meeting on 07.07.1993 in Arush, Tanzania, dedicated to improving the professional ethics of customs officials and the fight against

corruption, taking into account the situation in the customs structures of all countries and the factors that lead to corruption. The Arush Declaration was adopted at sessions 81-82.

Declaration of the Customs Cooperation Council on Good Governance and Combating Corruption - The purpose of the adoption of the Arush Declaration was to create an environment of continuous professional development in the customs authorities, optimal incentives for service and communication with entrepreneurs and brokers, reduction of administrative management, transparency of actions and decisions, automation of customs work, creation of a system of strategic distribution, rotation and replacement of personnel, increase of personal responsibility and accountability, implementation of special procedures in staffing, formation of high moral character and culture, internal audit and introduction of audits, promotion of the adoption of separate codes of ethics.

The signing of similar documents continued later. In 1999, at the XXII Annual Conference of Caribbean Customs Administrations (CCLEC) in Dominica, South America, members signed an agreement on the introduction of high professional ethics and the fight against corruption. The agreement provides for tasks consisting of 13 items, which are exactly the same as the items of the Arush declaration.

Subsequently, at the 102/103 sessions of the Customs Cooperation Council in June 2003, a new version of the Arush Declaration was adopted, based on anti-corruption strategies and measures developed by the Customs Administration, consisting of 10 key elements, to be used in their work. The requirements of the declaration are:

1. Leadership and commitment to assigned tasks;
2. Act in accordance with the law;
3. Transparency;
4. Automation;
5. Improvement and modernization;
6. Investigation and investigation;
7. Code of Ethics;
8. Personnel management;
9. Formation of morals and culture;
10. Cooperation with the private sector.

Prior to the development of these recommendations and regulations, a study conducted by the WCO Special Representatives among the customs administrations revealed , followings are negative consequences of reduced efficiency in the activities of customs authorities and the spread of corruption:

- decrease in ensuring national security and the level of protection of society;
- Lack of accumulation of budget funds and increase in fraud;
- Decrease in the inflow of foreign investment;
- increase in the cost burden on society;
- creation of artificial barriers to international trade and economic growth;
- Decrease in public confidence in government agencies;

- Interaction of customs administrations and cooperation with other government agencies, as well as a decrease in the level of mutual trust;
- Decrease in the level of voluntary compliance with customs legislation and regulations;
- Decrease in the level of spirituality and "honor of the uniform".

Improving the professional ethics of staff in combating customs corruption is an important issue as an integral part of the process of simplification and automation of customs procedures in international trade by improving the efficiency of customs administrations by WCO. Therefore, the delegates of the III International Forum on fight against Corruption and Enforcement of Professional Ethics, held in South Korea in 2003, agreed to strengthen cooperation and ensure professional ethics, given the importance of cooperation in simplifying customs procedures.

Following the forum, surveys were conducted by the WCO General Secretary in November 2003 and August 2004 to establish a Compendium based on best practices in the development of professional ethics. The 5th session of this international forum, which took place in South Africa in 2007, proved that a lot needs to be done in this direction. Then, in March 2007, this Compendium was presented on the international stage.

The Compendium explains the reasons for corruption in customs: "Corruption occurs in outdated and inefficient systems that use slow and cumbersome procedures that can speed up processes by bribing and paying customers."³

Corruption officials also coexist with customs services, which are not afraid of losing their reputation and have a low sense of ethics and respect for the profession. Therefore, all customs officers should be actively involved in the anti-corruption program and encouraged to adhere to professional ethics and perform their duties properly.

The 2 main directions in the prevention and fight against corruption by the WCO are always considered a priority. They are:

Line 1: introduction of a risk management system in the process of customs control and clearance;

Line 2: is the implementation of the concept of digital customs.

c) Cooperation between Uzbekistan and the WCO

Today, on the basis of WCO recommendations, the State Customs Committee of the Republic of Uzbekistan pays special attention to the simplification of customs clearance processes through the introduction of risk management systems in the fight against corruption, the widespread use of digitalization in customs control.

The Republic of Uzbekistan has been a member of this prestigious organization uniting more than 180 countries of the world since July 28, 1992. Uzbekistan is a direct and indirect member of more than 20 international conventions of the World Customs Organization related to customs practices. Over the past 20 years, more than 100 bilateral working meetings have been held with representatives of the signatories to these agreements. As a result of the high-level meetings, a number of events were held in Tashkent:

- Regional meeting with the heads of customs services of Central Asian countries in 1997 with the participation of the Secretary General of the World Customs Organization James Shaver;

- International conference on "Combating drug trafficking in the countries of the Great Silk Road" with the participation of the Secretary General of the World Customs Organization Michel Dane in 2002 (at the end of the conference signed the Tashkent Declaration);

- Regional seminar (Kyoto Convention) organized in 2004 with the support of the Government of Japan to introduce the revised International Convention on Simplification and Harmonization of Customs Procedures;

- Signing of a Memorandum of Understanding between the State Customs Committee and the World Customs Organization in 2008 to grant the National Cynology Center the status of a regional training center of the World Customs Organization;

- Official visit of the Secretary General of the World Customs Organization Kunio Mikuriya to the State Customs Committee of the Republic of Uzbekistan on May 3, 2010 in the framework of the 43rd Annual Meeting of the Board of Governors of the Asian Development Bank (ADB) in Tashkent.

In 1995, the Republic of Uzbekistan became a member of the Political Commission of the organization, and in 2001 was appointed a member of the Finance Committee.

According to the recommendations of the organization, from January 1, 2018 at international airports of the country launched a two-lane system ("red" and "green") for customs clearance of goods, the automated Risk Management System with 4 lanes ("red", "yellow", "green" and "blue" lanes) has been fully implemented since March 1, 2019.

In particular. During the several visits of the Secretary General of the World Customs Organization to the State Customs Committee, an exchange of views and experiences was achieved. Secretary General Kunio Mikuriya paid two official visits to the Republic of Uzbekistan in March and November 2019 and in November 2021. With the support of the organization, in January 2020, the automated system "Single Window", a situational center for coordination of customs control was launched. Recently, the Customs Laboratory of our country received the status of the Regional Laboratory of the World Customs Organization.

Within the framework of customs reforms, the State Customs Committee is carrying out significant work in the field of "Customs to Business", an important principle of the "Standards for Trade Promotion and Security" introduced by the World Customs Organization. In particular, in order to develop bilateral trade with various countries and create convenience for citizens, 10 border checkpoints on the border with the Republic of Tajikistan, 2 border checkpoints on the border with the Republic of Kazakhstan, an additional 55 transit corridors have been launched.

It should be noted that agreements have been signed with Russia, Kazakhstan, Tajikistan, Kyrgyzstan and Belarus on the establishment of simplified customs

corridors for certain goods. More than 200 customs officers of the State Customs Committee participated in short-term training courses of the organization.

Twice of such courses are devoted to the issues of professional ethics and combating corruption in the customs authorities. As a result, the staff of the anti-corruption structures of the State Customs Committee has been trained.

Conclusions and suggestions

The strategy of the World Customs Organization, which is the common home of the customs authorities, in the fight against corruption is to simplify customs procedures and digitize procedures that require excessive money and time of entrepreneurs, to avoid penalties, sanctions or moral damages. It is recognized that this advanced methodology is also important today by other foreign organizations.

In the fight against corruption, it is desirable to introduce the methodology of combating corruption in the national customs system by eliminating the factors that lead to corruption, and the introduction of bilateral and multilateral cooperation with the WCO is a topical issue.

In the future, it is important to organize long-term and short-term training courses for customs officers to closely study and apply the best practices of the WCO, to introduce new training technologies in the training practice of the Customs Institute using the opportunities of PICARD certification and the Permanent Representative of Uzbekistan to the WCO is one of the functions.

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