

Methodology for Monitoring and Controlling the Effectiveness of Anti-Corruption Procedures in the Ministry of Mining Industry and Geology

I. General Provisions

1. This Methodology is an internal regulatory document of the Ministry of Mining Industry and Geology (hereinafter referred to as the Ministry) and establishes the procedure and standards for monitoring and controlling the implementation of anti-corruption procedures and internal regulatory documents adopted by the Ministry in the fight against corruption.

2. Monitoring, as defined in this Methodology, refers to the assessment of the effectiveness of the anti-corruption system and the inspection aimed at reducing corruption risks in the Ministry's activities. Control refers to analyzing the state of the anti-corruption system, which may be conducted through a critical examination.

3. This Methodology is developed in accordance with the legislative acts of the Republic of Uzbekistan, the internal regulatory documents of the Ministry, and taking into account international best practices in the field of anti-corruption.

4. Monitoring and control of the effectiveness of anti-corruption procedures (hereinafter referred to as monitoring and control) are carried out by the Ministry's Internal Control Department for the Fight Against Corruption (hereinafter referred to as the Internal Control Department).

5. The main objectives of monitoring and control are as follows:

Verification of the Ministry's compliance with the adopted anti-corruption requirements;

Implementation of measures to prevent corruption and other offenses, evaluation of the adequacy of the measures taken in the fight against corruption, and the effectiveness of implemented anti-corruption procedures;

Identification of deficiencies and their elimination to improve the Ministry's compliance control system in the field of anti-corruption;

Analysis of adherence to the Ministry's internal regulatory documents and procedures for combating corruption;

Identification of indicators of corruption risks in the Ministry's activities;

Timely identification of conflicts of interest and analysis of measures taken to resolve them;

Identification of cases of non-compliance with other anti-corruption procedures aimed at reducing corruption risks;

Control over the implementation of recommendations based on the results of previous monitoring, inspections, internal audits, and other control measures, as well as compliance with the activities approved in the Anti-Corruption Program.

6. For the purposes of this Methodology, the following key terms are used:

Counterparty (contractual partner): A legal entity or individual entering into contractual relations with the Ministry (excluding labor relations);

Corruption actions: Actions or omissions by an employee related to personal or third-party material interest in obtaining benefits, including money, securities, property, and property rights, receiving, demanding, collecting, offering or transferring a bribe, mediating the transfer or receipt of a bribe, as well as charging fees for simplifying procedures (receiving bribes) and other illegal actions using official powers;

Corruption: The illegal use of official or service position to obtain personal benefits or benefits for others, including providing such benefits unlawfully;

Anti-corruption system: A set of measures aimed at preventing corruption actions, violations of the legislation of the Republic of Uzbekistan and internal Ministry documents related to anti-corruption, and ensuring the high-professional and ethical conduct of Ministry employees;

Relevant message: Information containing data on corruption actions and conflicts of interest within the Ministry;

Employee: A person in employment relations with the Ministry.

II. Directions and Measures for Monitoring and Controlling

7. The Ministry conducts monitoring in the following key areas:

Monitoring the relevance of the anti-corruption management system and its compliance with legislative requirements, including international standards;

Monitoring of media information regarding corruption actions by Ministry employees or its counterparts;

Monitoring the awareness of Ministry employees about key principles and requirements in the field of anti-corruption.

8. Control over the anti-corruption system in the Ministry is carried out in the following areas:

Control over the implementation of anti-corruption programs and roadmaps;

Control over compliance with the requirements and procedures of the Ministry's anti-corruption policy.

III. Procedure for Monitoring the Anti-Corruption Management System

9. Monitoring the relevance of the anti-corruption management system and its compliance with legislative requirements, including international standards, is carried out by the Internal Control Department on an ongoing basis through monitoring the legislation of the Republic of Uzbekistan in the field of anti-corruption and other requirements for combating corruption (e.g., decisions of the National Council for Combating Corruption of the Republic of Uzbekistan, recommendations of the Anti-Corruption Agency, recommendations of international and foreign organizations).

If necessary, the Internal Control Department develops proposals for improving the anti-corruption system in the Ministry, amending internal regulatory documents or creating new documents and measures, which are submitted for approval by the Minister.

10. Monitoring of media information regarding corruption actions by Ministry employees is conducted by the Ministry's Information Service on an ongoing basis through monitoring the media and social networks. If relevant information concerning an employee is identified, internal investigations are carried out in accordance with the established procedure outlined in the Ministry's internal documents.

11. The awareness check of Ministry employees about the key principles and requirements of the anti-corruption fight (internal audit) is conducted by the Internal Control Department twice a year. The awareness check is carried out in accordance with the system for checking the awareness of Ministry employees about the principles and requirements of the anti-corruption policy, as outlined in the appendix. The process includes:

Identification of participants in the check based on a sample (at least 60% of employees holding various positions);

Compilation of a list of questions corresponding to the principles and requirements of anti-corruption and the Ministry's policy (situational assignments, tests, open questions, or other question forms, at least 10 questions);

Submission of control questions to employees for providing answers;

Analysis of the results, discussion with employees of difficulties in understanding and adhering to anti-corruption requirements and procedures.

12. The results of the conducted monitoring and related information are recorded in a log, according to the form provided in appendix 2.

IV. Implementation of Control Over the Anti-Corruption System in the Ministry

13. Control over the implementation of anti-corruption programs and roadmaps in the Ministry is carried out during the preparation and submission of reports on the status of the anti-corruption system in accordance with internal regulatory documents.

14. Control over compliance with anti-corruption requirements and procedures is carried out with respect to the functions, procedures, and measures implemented in the Ministry to combat corruption, as well as in relation to those relationships most exposed to corruption risks.

15. Given the specifics of the Ministry's activities, control over compliance with anti-corruption requirements and procedures may extend to the following risk processes:

Procurement activities;

Gifts, business trip expenses;

Interaction with controlled organizations;

Spending of financial resources;

Personnel management (recruitment, appointments, promotions, awards, and other forms of incentives).

16. The list of risk processes subject to control for compliance with anti-corruption requirements and procedures is reviewed annually based on the results of the corruption risk assessment by the Internal Control Department. If necessary, in coordination with the Minister and relevant Ministry departments, changes or additions may be made to the list concerning risky or current processes.

17. Control over compliance with anti-corruption requirements and procedures in relation to one or more risk processes is conducted periodically, but no less than once per quarter, in accordance with the Ministry's annual Anti-Corruption Monitoring and Control Program.

18. The annual anti-corruption program is developed by the Internal Control Department by January 15 of the current year and should cover all Ministry processes, including the timing and periods of inspections specified in paragraphs 15 and 16. It should also reflect the sequence and distribution of risk processes across quarters based on the results of the corruption risk assessment, taking into account human resources and channels for reporting violations.

19. The completed anti-corruption program must be approved by the Minister no later than January 31.

20. In addition to the Program, control over compliance with anti-corruption requirements and procedures may be carried out in the following cases:

If there is a corresponding order from the Minister;

When corruption risks are identified during other inspections in the Ministry (including official inspections, internal audits, and others);

Upon receiving relevant information through the Ministry's communication channels.

21. Control activities are conducted in the form of inspections, including to identify indicators of corrupt actions. These inspections may include the following procedures:

Comparing information on concluded contracts with documents for the receipt and transfer of goods or provision of services;

Comparing actual acquisition of goods and their use, as well as the performance of works, with reports on quantity and quality, according to contract terms;

Verifying the completeness of conclusions from inspections of counterparties or job candidates, checking the consistency of information in documents and verification data;

Checking the authority of signatories of contracts and administrative documents, comparing signatures with authorized persons;

Comparing counterparty details and contract amounts with accounting data;

Checking for corrections, erasures, or signs of forgery in documents submitted by Ministry employees or counterparties;

Verifying public announcements in accordance with the law and internal Ministry documents (e.g., information about procurement tender procedures);

Surveying Ministry employees for additional clarifications and information on emerging issues.

22. Upon completion of the control activities, a report (hereinafter referred to as the “Report”) is prepared, which should include an introduction, a descriptive part, and a concluding section. The report typically includes the following:

Introduction:

The start and end dates of control for each task and procedure;

A list of tasks and procedures subject to control;

A list of departments and persons responsible for performing tasks and procedures;

The full name of the employee responsible for preparing the report.

Descriptive Part:

The method and scope of sampling during the control for each task and procedure;

Identified violations and deficiencies in the Ministry’s anti-corruption system, including the causes and conditions that contributed to the emergence or development of deficiencies.

Conclusion:

A conclusion on the presence or absence of corruption risks for each task and procedure;

Violated norms of legislation of the Republic of Uzbekistan and major violations indicated in the Ministry’s internal documents;

Recommendations for eliminating identified violations or deficiencies in the control process.

23. The report should include supporting documents, references, and copies (where possible).

24. The report is submitted to the Minister, and information about the control (monitoring) is entered into the Log in the form provided in Appendix 1.

V. Final Provisions

25. Recommendations developed based on the results of monitoring and control are incorporated into the Ministry's Anti-Corruption Program.

26. Heads of structural divisions of the Ministry are personally responsible for the implementation of recommendations and for providing information on completed work to the Internal Control Department.