

CONTENT AND SOCIAL NECESSITY OF ESTABLISHING LIABILITY FOR CRIMES OF OFFICIALS OF NON-GOVERNMENTAL NON-PROFIT ORGANIZATIONS AND THE CAUSES OF COMMISSION OF OFFICIAL CRIMES BY THESE PERSONS

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Abstract

This article analyzes the content and social necessity of establishing legal liability for crimes committed by officials of non-governmental non-profit organizations as well as the underlying causes of such crimes by applying an IMRAD-based structure and synthesizing findings from academic research, demonstrating that effective accountability mechanisms are essential for ensuring transparency, safeguarding public trust, and preventing abuse of entrusted power within the nonprofit sector

Keywords: *non-governmental non-profit organizations, officials, criminal liability, corruption, abuse of power, accountability, governance, transparency, civil society*

1.Introduction

Non-governmental non-profit organizations have become an integral part of modern governance systems as they contribute significantly to social welfare, human rights protection, poverty reduction, and the delivery of public services, however the growing influence and financial resources of these organizations have also increased the risks associated with misuse of authority and corruption by their officials, which makes the issue of establishing liability for such crimes critically important because corruption is generally defined as the abuse of entrusted power for private gain and it leads to serious negative consequences including economic inefficiency, social inequality, and erosion of public trust (Iddrisu, 2019), moreover corruption is not limited to public institutions but also exists within private organizations and NGOs where officials may engage in bribery, embezzlement, and abuse of authority for personal benefit (Roy, 2022), therefore the need to regulate and impose legal responsibility on NGO officials is driven by both legal and social considerations as their activities directly affect public interests and societal development, and without proper accountability frameworks these organizations may become vulnerable to internal misconduct, financial mismanagement, and corruption which undermines their legitimacy and effectiveness in achieving their intended goals.

An official of a non-governmental non-profit organization or another non-governmental organization is a person who, in organizations whose charter capital does not include a state share, performs organizational-managerial or administrative-economic functions on a permanent or temporary basis, either through election or appointment; as well as an official of another non-governmental organization established without the participation of a state body or state organization.

Organizational-managerial powers refer to functions related to managing a specific area of activity and supervising the work or production activities of certain employees. For example, these include heads of non-governmental non-profit organizations or other non-governmental organizations (directors, their deputies, heads of structural divisions, etc.). The activities of such officials may be manifested in selecting personnel, managing them, assigning positions, organizing their work, and exercising control over their activities, as well as in other similar situations.

Administrative-economic powers refer to functions related to managing and disposing of property, determining the conditions and procedures for its storage, ensuring its safekeeping and transfer, and other related responsibilities. (M.X.Rustamboyev, 2016)

2.Methods

This study employs a qualitative research methodology based on the analysis of academic literature related to corruption, governance, and accountability within both public and nonprofit sectors using a systematic and comparative approach to identify key principles and patterns associated with the liability of officials and the causes of official crimes, the research relies on peer-reviewed journal articles and theoretical frameworks that explore corruption as a multifaceted phenomenon influenced by institutional, economic, political, and social factors and through synthesis of these sources the study aims to provide a comprehensive understanding of why legal liability is necessary and what drives officials of non-governmental organizations to commit crimes

3.Results

The findings of this study reveal that the content of establishing liability for crimes committed by officials of non-governmental non-profit organizations involves defining the legal status of such officials, determining the scope of their responsibilities, and introducing clear sanctions for misconduct, and it is evident that accountability mechanisms such as legal liability, transparency requirements, and oversight systems play a crucial role in preventing corruption and ensuring good governance, as studies show that stronger accountability frameworks significantly enhance public trust and administrative effectiveness ([Omar et al., 2020](#)), furthermore the social necessity of establishing such liability is rooted in the need to protect public resources, ensure fairness, and maintain the credibility of civil society institutions since corruption not only distorts resource allocation but also weakens democratic processes and limits

access to essential services (Sarjito, 2023), in addition the research identifies several key causes of official crimes committed by NGO officials including weak institutional controls, lack of effective oversight, discretionary power, and insufficient enforcement of legal norms as governance systems that lack accountability and transparency create opportunities for abuse of power and corruption (Hope, 2014), moreover ineffective supervision and poor internal audit mechanisms contribute to the misuse of funds and authority as officials exploit gaps in regulatory frameworks (Sugiharti et al., 2021), and political influence, bureaucratic complexity, and lack of transparency in NGO-government relations further exacerbate the problem by enabling corrupt practices and discretionary decision-making (Siwach, 2013), additionally the persistence of corruption is often linked to broader socio-economic and cultural factors such as normalization of corrupt behavior, weak ethical standards, and lack of public awareness which create an environment where misconduct is tolerated or overlooked (Vu, 2017)

4. Discussion

The analysis of the findings shows that establishing liability for crimes committed by NGO officials is a fundamental requirement for ensuring justice and accountability in society because individuals entrusted with authority must be held responsible for their actions and any abuse of power must be effectively sanctioned, the research indicates that ambiguity in the legal status of NGO officials often creates regulatory gaps that allow misconduct to go unpunished therefore it is necessary to develop clear legal frameworks that define their responsibilities and liabilities while ensuring alignment with anti-corruption legislation, moreover strengthening institutional mechanisms such as internal audits, external supervision, and transparency requirements can significantly reduce corruption risks by limiting opportunities for abuse as effective oversight systems are essential for preventing financial mismanagement and authority misuse (Helmi & Iskandar, 2020), in addition civil society engagement and public pressure play a crucial role in promoting accountability and reducing corruption as stronger civil society and media freedom are associated with lower corruption levels (Themudo, 2013), another important aspect is addressing the root causes of official crimes such as economic incentives, weak ethical culture, and lack of enforcement since without addressing these factors legal measures alone are insufficient to prevent corruption therefore a comprehensive approach combining legal reforms, institutional strengthening, and social awareness is necessary, furthermore integrating administrative and criminal law mechanisms provides both preventive and punitive tools for addressing abuse of authority which enhances the effectiveness of anti-corruption strategies (Latif & Halim, 2023)

Conclusion

In conclusion establishing liability for crimes committed by officials of non-governmental non-profit organizations is a social necessity that ensures accountability, protects public trust, and promotes good governance while the causes of such crimes

are complex and include institutional weaknesses, lack of oversight, economic incentives, and socio-cultural factors therefore addressing these issues requires comprehensive legal and institutional reforms as well as the promotion of ethical values and transparency within organizations, ultimately strengthening accountability mechanisms will reduce corruption and enhance the effectiveness and credibility of non-governmental non-profit organizations in serving society

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