

ESTABLISHING THE ESSENCE OF PREVENTING CORRUPTION IN PUBLIC SERVICE

Tetiana Evgeniivna Kaganovska

Doctor of Legal Sciences, Professor,
Rector of V. N. Karazin Kharkiv National University
Kharkiv – Ukraine
e-mail: t.e.kaganovskay@gmail.com
ORCID: <https://orcid.org/0000-0002-4427-2038>

Vadym Borysovykh Kharchenko

Doctor in Law, Professor, Head of the Department of
Criminal Law and Criminology (Faculty No. 6) of
Kharkiv National University of Internal Affairs
Kharkiv – Ukraine
e-mail: abser@meta.ua
ORCID: <https://orcid.org/0000-0002-2412-7909>

Kateryna Olexandrivna Zakomorna

Candidate of Legal Sciences, Associate Professor,
Associate Professor of the State Building Department,
Yaroslav Mudryi National Law University
Kharkiv – Ukraine
e-mail: zakomornay@ukr.net
ORCID: <https://orcid.org/0000-0001-9124-9570>

Kateryna Serhiivna Izbash

Candidate of Law, Associate Professor,
Senior Researcher at the Department of
Organization of Scientific Work of the
Odessa State University of Internal Affairs
Odessa – Ukraine
e-mail: ekaterinaizbash83@gmail.com
ORCID: <https://orcid.org/0000-0002-1855-1383>

Recebido em: 29/01/2022

Aprovado em: 21/03/2022

ABSTRACT

Corruption is one of the most negative phenomena in the state system. Manifesting element of corruption has been highly experienced in public services where there is always a need in analyzing them. Without proper counteraction to corruption, it is able to nullify all previous achievements in reforming the country's mechanisms of government and stop its development. Despite some achievements of the Ukrainian state in the field of combating and preventing corruption, especially in the years after the Revolution of Dignity, society and the state leadership will have to make many efforts to significantly improve the situation in this direction. In order to select the most effective ways to prevent corruption, the positive experience of successful foreign countries in this area is studied. Ways and methods of effective counteraction to corruption in the public service are considered. Specific ways of combating

corruption at each level of government are analyzed and compared. Peculiarities of counteracting corruption both in state authorities and in local self-government bodies are established. Emphasis is placed that without a proper improvement of the quality of public service in the state, in particular a significant improvement in combating and preventing corruption, it will be difficult or impossible to achieve a proper standard of living (well-being) in the state and society. It is established that the solution of the problematic issues outlined in this article depends on many environmental factors, first of all, such as the stability of the political regime in the state, an effective judicial system and the effective operation of law enforcement agencies.

Keywords: prevention of corruption; public service; corruption manifestations.

ESTABELECENDO A ESSÊNCIA DA PREVENÇÃO DA CORRUPÇÃO NO SERVIÇO PÚBLICO

RESUMO

A corrupção é um dos fenômenos mais negativos no sistema estatal. Elemento manifestante de corrupção tem sido muito vivenciado nos serviços públicos onde há sempre a necessidade de analisá-los. Sem a devida luta contra a corrupção, é capaz de anular todas as conquistas anteriores na reforma dos mecanismos de governo do país e impedir seu desenvolvimento. Apesar de algumas conquistas do estado ucraniano no campo do combate e prevenção da corrupção, especialmente nos anos posteriores à Revolução da Dignidade, a sociedade e a liderança do estado terão que fazer muitos esforços para melhorar significativamente a situação nesse sentido. Para selecionar as formas mais eficazes de prevenir a corrupção, é estudada a experiência positiva de países estrangeiros bem-sucedidos nessa área. São consideradas formas e métodos de combate efetivo à corrupção no serviço público. Formas específicas de combate à corrupção em cada nível de governo são analisadas e comparadas. São estabelecidas peculiaridades de combate à corrupção tanto nas autoridades estatais quanto nos órgãos de governo autônomo local. Ressalta-se que, sem uma adequada melhoria da qualidade do serviço público no estado, em particular uma melhoria significativa no combate e prevenção da corrupção, será difícil ou impossível alcançar um nível de vida adequado (bem-estar) no estado e sociedade. Fica estabelecido que a solução das questões problemáticas delineadas neste artigo depende de muitos fatores ambientais, em primeiro lugar, como a estabilidade do regime político no estado, um sistema judiciário eficaz e o funcionamento eficaz dos órgãos de aplicação da lei.

Palavras-chave: prevenção da corrupção; serviço público; manifestações de corrupção.

1 INTRODUCTION

The relationships between the processes of depoliticization and public ethics in liquid modernity are characterized by little lasting, malleable and changing dynamic environment for

citizen participation in political institutions and the setting of the popular will, favoring conservatism and phenomena appropriation of the State by private interests such as corporatism, political patronage, corruption and criminal appropriation of the State. These phenomena hinder the possibility of collective thought and the search for feasible future projects (RODRÍGUEZ CASALLAS; ARANGO MORALES, 2017). Corruption as a phenomenon is one of the most common problems of the modern world, which negatively affects the normal development of the state. Corruption is not just a crime. This phenomenon undermines public confidence in state institutions, distorts competition, increases public spending and threatens democracy. It is the reason that any country, which has chosen the path of democracy, seeks to eradicate corruption in all areas of the state administration's functioning and society in the whole (MAKARENKO, 2020). Unfortunately, the issue of the existence and widespread of corruption in Ukraine has been already recognized as traditional. The research environment believes that the reason for that is the historical features of the state's system that previously existed in Ukraine, as well as the specific period of Ukraine's formation since 1991. After all, Ukraine was under the rule of authoritarian regimes both during the rule of the Russian Empire and during the 70-year rule of the Soviet Union. The main features of such regimes were that they focused on the unquestionable provision of power to the ruling elite, as well as on the priority of the regime's interests over the rights, freedoms and legitimate interests of citizens. Accordingly, it is argued that the closed and undemocratic nature of decision-making in such regimes has greatly contributed to the flourishing of corruption and other negative phenomena. After gaining independence, the state and political leadership of Ukraine almost immediately declared the fight against corruption in society and within the state administration. However, those slogans and calls for reform and improvement have not been backed up by any real action to implement these slogans for a long time. Real steps to prevent and combat corruption in the public service have been taken in Ukraine only during the last few years.

Further development of Ukraine as an European country in difficult conditions and in a historically short period of time, taking into account the experience of the countries of United Europe, constitutional changes of the mechanism of functioning of local authorities requires to solve an important task to the country's future – to create a system of territorial organization of power, which would meet the modern challenges of development, operated on behalf of and under the control of citizens and would be able to implement a modern integration concept «From European States to Europe of the regions». This transformation of the system of institutions of Ukraine requires the creation of effective anti-corruption mechanisms that can

ensure the implementation of the principles of integrity, openness, transparency and social justice in public administration (NOVAK, 2016). According to S. O. Shatrava (2017), the relevance of the research on the prevention of corruption is in the plane of many factors: economic (economic crisis and low living standards); legal (imperfect and in some cases unformed legal framework in regard to the prevention of corruption; lack of clear normatively established procedural regulations for officials' activities providing an opportunity for abuse); social (spread of domestic corruption and lack of punishment for the latter); ideological (lack of long-term vision on combating corruption risks and giving preference to situational solutions of issues in this area; unwillingness to change; lack of response and punishment of those who committed corruption offenses or corruption-related offenses); managerial (presence of discretionary powers or too broad administrative and permitting powers for decision-making at own discretion; lack of effective mechanism for monitoring such decisions, professional deformation of some managers, which is manifested in the commission or leniency of corruption, breaches of professional ethics).

Therefore, taking into account the above, it should be noted that the purpose of this article is to establish the content and specific features for the prevention of corruption in the public service. In accordance with the set purpose, the objectives of the research are: to establish the current situation in the field of corruption prevention both in Ukraine and in the world; to provide characteristics of the main terms used in clarifying the essence of preventing corruption in the public service; to accomplish historical and legal analysis of the development and formation of the system for preventing corruption in the public service; to establish the legal principles for preventing corruption in the public service; generalization of international experience on combating corruption.

2 METHODOLOGY

The authors of the article have used bibliographic method, which assisted to get information from leading contemporary researchers about the current situation in the field of preventing corruption in Ukraine and around the world.

Empirical and empirical-theoretical methods have been used to characterize the main terms used in the article, in particular, such as: prevention of corruption, public service, corruption manifestations, state system, international cooperation, legal support, etc.

Historical and legal method has been used to carry out historical and legal analysis of the development and formation of the system for preventing corruption in the public service.

Comparative and legal method has been used while characterizing the legal principles for the prevention of corruption in the public service, as well as in the generalization of international experience in combating corruption.

All these methods used are greatly essential when dealing with matters of corruption, but the main prerogative here is in trying to examine by looking at what really to be done in combating these deadly pandemics plaguing the public service. There is the need for this cankerworm of corruptive practices to be eradicated. One thing is for sure that all these methods establishing are really credible, but ensuring the effective combatting has always been a great problem.

3 LITERATURE REVIEW

Problematic aspects of the functioning of the entities that prevent and combat corruption in Ukraine have repeatedly been the subject matter of scientific research. Thus, S. O. Shatrava defended his dissertation on “Administrative and legal principles of preventing corruption within the National Police of Ukraine” in 2017. The scholar focused on the internal aspect of preventing corruption in the police. The police has been studied only as an entity that prevents corruption, but the aspects of its activities on combating this negative phenomenon almost have not been studied.

D. F. Rodríguez Casallas and X. A. Morales (2017) have noted the fact that there are currently various movements that call for interference in government activities, but they are far from political institutions. They put pressure on institutions, but do not participate through formal mechanisms, because they consider political practice as corrupt, creating an environment of depoliticization with special characteristics of modernity.

J. A. Rebolledo Vargas (2018) shows how political and judicial corruption — through its questioned decisions — caused the Embera Katío community to be “expelled” from their ancestral territories and relocated in the urban area of the municipality, where they could not carry out their agricultural, educational, religious, fishing and navigation, etc. activities.

V. I. Teremetskyi and V. A. Demianchuk (2018) has analyzed organizational structure of specialized anti-corruption institutions, legislation of these countries and methods of implementation of anti-corruption policy. Authors prove that Ukraine while formulating and

implementing anti-corruption policy, should focus on: the harmonious combination of coercive and incentive measures; introduction of inter-institutional models for the detection, prevention and combating corruption; balancing state and public interests in the implementation of anti-corruption measures; raising the legal culture and citizens' legal awareness through anti-corruption propaganda and reforming education; creation of the conditions for impossibility of legalization of incomes obtained through the commission of corruption offenses; systematic nature in reforming state power and minimization of direct contacts between citizens and state officials.

I. O. Klochko (2018) has considered of the prosecutor's office of Ukraine in the system of other subjects of combating corruption has been considered; the system of subjects of counteracting corruption has been defined; the study of the peculiarities of the functional and organizational standing of the prosecutor's offices in the system of other subjects of combating corruption has been conducted.

M. S. Tkachenko (2019) defined and characterized certain directions of improvement of administrative legislation regulating interaction of the National Anti-Corruption Bureau of Ukraine with other law enforcement agencies. It is found out that administrative legislation regulating the interaction of the National Anti-Corruption Bureau of Ukraine with other law enforcement agencies is the system of normative and legal acts of administrative branch regulating the procedure, sequence, format and other administrative features of the interaction of NABU with law enforcement agencies.

V. B. Pchelin (2019) has studied the legal status of the agencies of the National Police of Ukraine as a subject of prevention and counteraction to corruption. On the basis of the analysis of the current Ukrainian legislation, as well as professional scientific sources, it has been established that the status of such a subject is defined either as "the subject of preventing corruption" or as "the subject of counteracting to corruption", which does not quite accurately reflect the essence of the activities of the police in this direction. The author has carried out a comparison of legislation defining the legal principles for anti-corruption activities in general, as well as the principles of the police activity of Ukraine as a subject of prevention and counteraction to corruption in particular. The expediency of using a single legal structure "the subject of prevention and counteraction to corruption" has been substantiated. Due to the analysis of procedural legislation, the author has established the types of corrupt and corruption-related offenses, which should be addressed by the agencies of the National Police as a subject of prevention and counteraction to corruption. The author has determined some shortcomings

of the legal regulation of the legal status of the National Police agencies as a subject of prevention and counteraction to corruption. The ways of solving such shortcomings have been offered.

R. L. Stepaniuk, V. V. Kikinchuk and M. H. Shcherbakovskyi (2021) have analyzed the scientific literature, criminal and criminal procedural legislation of Ukraine regulating public relations related to the detection, investigation and litigation of causes related to obtaining illegal benefits by officials, case-law of the European Court of Human Rights. The need for conducting such a study, according to scholars, is stipulated by the fact that the fight against corruption is currently one of the main tasks of law enforcement agencies in Ukraine, since the level of spreading this negative phenomenon remains so high that threatens the development of the country.

As one can see, scholars have made a significant contribution both in the development of theoretical model for the activities of the entities that prevent and counteract to corruption, and for improving the practical aspects of the activities of the specified entities. However, the rapid update of anti-corruption legislation, as well as legislation regulating activities in this area, necessitates a revision of existing approaches to understanding the outlined issues.

3 RESULTS AND DISCUSSION

According to the Transparency International movement, Ukraine ranks 126th out of 180 countries in terms of corruption perception index in 2019. It should be noted that offences such as obtaining illegal benefits from officials are sufficiently complex to be identified and investigated. It is due to a number of reasons, such as the circular interest of all participants in concealing the events, the high social status of the offenders, their corrupt relations with other authorities, etc. In addition, a special feature of Ukraine is that large-scale reforms have been recently carried out in many areas of public life, including criminal procedural legislation and the organization of the work of law enforcement agencies. Together with the positive aspects, these changes led to a decrease in the efficiency of the detection and investigation of corruption crimes due to gaps in the legislation and lack of experience of investigators and prosecutors in new conditions (STEPANIUK; KIKINCHUK; SHCHERBAKOVSKYI, 2021).

Findings of sociological surveys show that there has been a substantial decrease in the share of citizens which had directly experienced corruption over the last years (not more than 40% in the beginning of 2020 compared to around 60% in 2013). There is also gradual

improvement in the comparative indicators of the level of corruption in Ukraine. However, findings of the above surveys demonstrate that progress achieved over the last years fails to satisfy society, as it is too slow. The general level of perception of corruption in Ukraine remains high (in 2019, Ukraine scored 30 points out of 100, ranking 126 out of 180 countries). Corruption remains one of the most pressing issues (based on the survey conducted in early 2020, corruption is equally important to a resolution of the crisis in Donbas) (PRINCIPLES OF THE STATE ANTI-CORRUPTION POLICY IN UKRAINE (ANTI-CORRUPTION STRATEGY) FOR 2020 – 2024). And although Ukraine's ranking keeps improving every year, such a state of affairs is still far from being acceptable. Corruption has long been regarded as Ukraine's major problem and the subject of much debate, both nationally and internationally. According to numerous analytical reports and surveys, it is corruption that poses the biggest problem for both foreign and domestic businesses. Among the apparent problems triggered by high levels of bribery and abuse of office are destruction of the system of social values and absolute distrust in public authorities, which ultimately result in negative economic consequences, increase inequality and slow down household income growth (ANTI-CORRUPTION REFORM).

Intensification of the process of combating corruption in Ukraine requires comprehensive research of the relevant international experience, because the government should be aware about the tendencies in the sphere of preventing corruption in developed countries and should accordingly adjust domestic anti-corruption policy. The importance of such research is due to Ukraine's foreign policy, which is focused on building a civilized European state with civil society and the rule of law (TEREMETSKYI; DEMIANCHUK, 2018).

Effective counteraction to corruption crimes, which includes the prevention of their commission, is one of the most important elements in improving the quality of the state system. In order to understand the exact way for preventing and combating corruption that can be really effective, it is necessary to properly study the factors influencing the emergence and spread of corruption (BORGES; GANS-MORSE; MAKARIN, 2017).

It should be noted that this issue is currently being actively studied by researchers from leading foreign countries. In particular, they have found out that the rate of corruption's spread in society is most influenced by the state of material and financial well-being in society, political regime in the country, historical traditions of democratic institutions and the real rule of law, or their absence. Scholars insist that the above factors to some extent equally affect the spread of

corruption in society and in the government system of any country (BECKER; BOECKH; HEINZ; WOESSMANN, 2016). For example, it has been accepted in the scientific community and society in the whole that corruption has traditionally been a more widespread phenomenon among poor, financially disadvantaged countries or individual regions, provinces or oblasts. However, the recent high-quality research has shown that corruption often could and can occur in rather wealthy countries and communities. For example, it is argued that corruption exists even among the political elites of the developed countries of Western Europe and North America (ALT; LASSEN, 2014). But it is worth noting that corruption manifestations in the above countries are more complex and sophisticated than the primitive manifestations of corruption in the countries of the third world. This means the predominance of indirect nepotism and behind-the-scenes arrangements over ordinary bribery or embezzlement.

The political regime, where the corruption is ruled, affects the level of corruption to a greater extent than the financial and material well-being of the state. Thus, based on historically known examples, we can state that the authoritarian leadership even in a democratic state may pose a serious threat to society and to the proper observance of legal norms in such a state (ACCONCIA; CANTABENE, 2008).

Researchers acknowledge the coming to power of Adolf Hitler in Germany in 30s of the XX century as the brightest example that took place in the last century. That situation was special because authoritarian (even totalitarian) leader, came to power democratically in a democratic state and could destroy the functionality and capacity of existing democratic, state and legal institutions in a relatively short period of time (several years).

Regarding specific examples that have recently taken place, some experts tend to point to the period of Donald Trump's presidency in the United States. The number of cases of power abuse in the United States during this period has markedly increased (and most importantly atypically) and specific cases of corruption have become more frequent (NIKHIL, 2015). As we can observe from the above example of the United States, the excellent functioning of government institutions was the factor that did not allow corruption, as well as attempts to usurp power to finally succeed (AVIS; FERRAZ; FINAN, 2016). In our opinion, the above examples serve as the direct confirmation of the strong dependence of the level of corruption, as well as other key factors that serve as indicators of the state's success from the political regime established in this state. This factor, or rather its impact on the level of corruption in the state, is also crucial. Proper functioning of state mechanisms both at national and local levels is a reliable guarantee of the state's protection from authoritarian encroachments. In addition, they

can significantly reduce the number of corruption manifestations both within the state system and in society in the whole.

It is a well-known and at the same time interesting fact that the rapid and consistent quality reform of the state system and its individual agencies is one of the main and priority requirements for the new ruling elite from the developed countries of the West due to the change of the ruling regime in any state in order to bring them to the appropriate standards.

Most scholars in the field of law and public administration emphasize that for establishing reliable, efficient and stable functioning of public administration institutions in a particular state, we need a certain period of time (BAI; LIU; KOU; 2016). They note by making the latter more concrete that they mean the reliable and uninterrupted functioning of established state institutions and agencies over a period of time. According to scholars it is important, because both the state system and society in the whole must get used to the fundamentally new procedures of government agencies' activities. Otherwise, corrupt oligarchic ranges will try to bring back the old ineffective traditions of the system.

Many foreign researchers pay attention to the importance of applying high-tech achievements into the activities of public service agencies and institutions. According to them, the need for technological development of public servants and their structural units is undeniable.

Based on the analysis conducted between countries from different regions of the world, it is noted that the active use of high-tech devices by public servants in their professional activities not only significantly increases their efficiency and effectiveness, but also reduces the likelihood of committing corruption manifestations by them or in relation to them.

Real reforms has recently begun to be carried out In Ukraine, the ultimate goal of which was a marked reduction in corruption in the state system of power in Ukraine, and later in society in the whole. This logic is supported by the claims of American and British researchers that in order to completely eradicate or at least significantly reduce corruption at the household level in society, we must first achieve successful results in combating corruption in public service in the government (CAF, 2019). As we can see from the recent changes in Ukraine, there are many ways and means to legally get rid of corrupt officials, as well as a significant number of options for establishing control over the level of corruption.

The system of entities for preventing and combating corruption has been created in our country in order to overcome this negative phenomenon, the leading place among which is occupied by the agencies of the National Police of Ukraine (PCHELIN, 2019, p. 72). Such

agencies as the National Anti-Corruption Bureau of Ukraine, the National Anti-Corruption Agency, and the Antimonopoly Committee of Ukraine, although have certain shortcomings in their activities and need many improvements, are nevertheless recognized as moving and acting in the right direction. The continued and unquestioning support of the United States for these agencies is a testament to this situation.

One of the shortcomings of the modern Ukrainian state system is the artificial inhibition of reforms and other positive processes in the state by certain entities. In particular, a specific problem is the gap in the domestic anti-corruption sphere, which allows persons who have committed corruption offenses and as a result dismissed, to succeed in restoration on the positions. Moreover, as a result of this gap, they received significant compensation from the state for “wrongful dismissal”. Ukraine’s international allies and partners insist on the liquidation of this gap in domestic legislation (IDFI, 2016).

We offer to introduce a legal norm that would clearly prescribe the conditions, when a person is subject to lustration from public service. This will assist to achieve the de facto impossibility of mass restorations of corrupt officials and others who have abused their power. With the functioning of such a legal norm, those state agencies of Ukraine that actually carry out lustration will also make less mistakes and declare persons lustrated without a sufficient amount of proper grounds (UNODC, 2019). It is well known that a large part of court cases on illegal dismissal mess up in favor of the “corrupt entity” precisely because of the poor quality of the work of state anti-corruption agencies.

Accordingly, the authors offer to make the above propositions to the Law of Ukraine “On Lustration” (2014). We also believe that specific amendments and alterations should be made to the Law of Ukraine “On Civil Service” (2014). First of all, it is necessary to make the procedure for immediate dismissal of a public servant, who has been found guilty of corruption by a court decision, clearer and more unambiguous. Although, there is currently a problem in this area in Ukraine. Thus, it is noted that it is common for Ukraine for one reason or another when a person found guilty of receiving an illegal benefit is not dismissed from the position and public service in general and he / she continues to work on the position (THE COMMONWEALTH, 2021). According to experts the existing tolerance for corruption manifestations and corrupt officials is still among the reasons in Ukrainian society. However, it should be noted that according to the latest sociological research, the level of tolerance for corruption manifestations in society and in the public service among the citizens of Ukraine is gradually declining. Instead, citizens on the contrary have become more critical to corruption

manifestations both in the public service and among their compatriots in society. But we should add that the positive changes in people's attitudes towards corruption are slowly changing.

Reluctance of heads of state units to take actions that are although fair in terms of public morality and humanity, but may be recognized over time as "illegal" is among other reasons for continuing to hold certain positions in the public service by those guilty of corruption and other manifestations of outright dishonesty (THE WORLD BANK, 2021). Due to the fact that the state finally loses the case, a corrupt person fired for corruption will be restored on the position with the compensation (including wages for the entire period of his "illegal" dismissal) and the state will lose significant funds, and the head, who made the initial decision to dismiss the corrupt official, will bear legal liability (BADER; HUSS; MELESHEVYCH; NESTERENKO, 2019). Besides, we should remember the close family relations (nepotism) that enveloped the domestic state system both at the central (national), as well as regional and local levels. There are almost constant examples of how state agencies (institutions and organizations) are headed by individuals, who appoint their relatives to these government units on attractive positions, or force or encourage them to participate in illegal activities.

A positive step in this context was the introduction of a rule, which directly prohibits holding certain interrelated positions by close relatives in Ukraine. For example, there is a ban on holding the position of a manager and his / her subordinate by spouses. These norms and regulations are contained in the Law of Ukraine "On Prevention of Corruption" (2014) and were borrowed from the legislation of developed Western countries. The Law of Ukraine "On Prevention of Corruption" has received positive assessments and feedback from leading Western authorities, because according to the content of the norms written there, it is recognized as quite progressive, democratic and created in the spirit of the rule of law. The problem of this law is only its proper implementation, i.e., the actual implementation of the norms and regulations specified there.

As a result of the above-mentioned active opposition to anti-corruption reforms by oligarchic clans, criminal organizations and other members of the "old system", there is a sabotage and attempt to repeal positive reforms in Ukraine, and there is still a high risk of returning the state system and society to authoritarianism and kleptocracy. In order to prevent this, it is recommended to improve the legal framework in the field of anti-corruption, as well as to improve the quality of functioning of anti-corruption institutions by increasing their real effectiveness.

4 CONCLUSIONS

Effective prevention and successful counteraction to corruption in the public service should continue to be the priority for both state's leadership and representatives of academic community. After all, the emphasis is focused on the fact that the public service should be the leading part of society, which should be the first to get rid of corruption, or should achieve a significant reduction in its number. It is argued that despite a difficult historical past and a strong tradition of authoritarian regimes, Ukraine is gradually making progress in preventing corruption.

The emergence and further functioning of anti-corruption agencies in Ukraine is undoubtedly a useful phenomenon, and therefore has significant support among Ukraine's foreign allies and partners. Despite some problems in the operation's organization of these agencies, as well as the great resistance to their functioning, they prove that their creation and support is a cinch.

Each of the newly created agencies, for its part, assists to reduce corruption across the entire spectrum of public service. Declarations that every public servant is required to complete also play an important role. The newly established anti-corruption agencies of Ukraine should receive strong support from both society and the government. Regarding the first, the authors of the article have noted that the rejection of corruption among the population is gradually increasing and, accordingly, tolerance among Ukrainian citizens is declining both to corruption and to corrupt individuals. Secondly, the Ukrainian authorities must improve anti-corruption legislation, in particular by taking the concrete steps described in this article and improving the quality of anti-corruption agencies.

REFERENCES

ACCONCIA, Antonio; CANTABENE, Claudia. A Big Push to deter corruption: evidence from Italy. **Giornale Degli Economisti e Annali Di Economia**, v. 67, a. 121, n. 1, p. 75–102, 2008. Available at: <http://www.jstor.org/stable/23249134>.

ALT, James E.; LASSEN, David Dreyer. Enforcement and Public Corruption: evidence from the American States. **Journal of Law, Economics, and Organization**, v. 30, n. 2, p. 306–308, May 2014. Available at: <https://doi.org/10.1093/jleo/ews036>.

AVIS, Eric; FERRAZ, Claudio; FINAN, Frederico. Do Government Audits Reduce Corruption? Estimating the Impacts of Exposing Corrupt Politicians. **NBER Working Paper**, 2016. Available at: https://www.nber.org/system/files/working_papers/w22443/w22443.pdf.

BADER, Max; HUSS, Oksana, MELESHEVYCH, Andriy; NESTERENKO, Oksana. Civil Society Against Corruption in Ukraine: Pathways to Impact. **Kyiv-Mohyla Law and Politics Journal**, n. 5, 2019. DOI: <https://doi.org/10.18523/kmlpj189975.2019-5.1-35>.

BAI, Bao-yu; LIU, Xiao-Xiao; KOU, Yu. Belief in a Just World Lower Bribery Intention. **Asian Journal of Social Psychology**, v. 19, n. 1, p. 66–75, 2016. Available at: <https://doi.org/10.1111/ajsp.12108>.

BECKER, Sascha O.; BOECKH, Katrin; HEINZ, Christa; WOESSMANN, Ludger. The Empire Is Dead, Long Live the Empire! Long-Run Persistence of Trust and Corruption in the Bureaucracy. **The Economic Journal**, v. 126, n. 590, p. 40–74, 2016. Available at: <https://doi.org/10.1111/eoj.12220>.

BORGES, Mariana; GANS-MORSE, Jordan; MAKARIN, Alexey. Combating Corruption Among Civil Servants: Interdisciplinary Perspectives on What Works. **Research and Innovation Grants Working Papers Series**. USAID. February 21, 2017. Available at: https://www.usaid.gov/sites/default/files/documents/2496/Combating_Corruption_Among_Civil_Servants_-_Interdisciplinary_Perspectives_on_What_Works.pdf.

CAF. **Reducing Discretion in Civil Service: Key to Preventing Corruption in Latin America**. November, 2019. Available at: <https://www.caf.com/en/currently/news/2019/11/reducing-discretion-in-civil-service-key-to-preventing-corruption-in-latin-america/>.

CASALLAS, Diego F. Rodríguez; MORALES, Xóchitl Arango. Depolitization and public ethics. The crisis of collective thinking in liquid modernity. **Justicia**, v. 22, n. 31, p. 65-86, 2017. Available at: <https://doi.org/10.17081/just.22.31.2599>.

DRAFT. **Principles of the State Anti-Corruption Policy in Ukraine (Anti-Corruption Strategy) for 2020 – 2024**. Kyiv: National agency on corruption prevention, 2020. Available at: <https://nazk.gov.ua/wp-content/uploads/2021/01/Ukraine-Anti-Corruption-Strategy-for-2020-2024.pdf>.

GOVERNMENT PORTAL. **Anti-Corruption Reform**. Available at: <https://www.kmu.gov.ua/en/reformi/verhovenstvo-prava-ta-borotba-z-korupciyeyu/borotba-z-korupciyeyu>.

IDFI. **Preventing Corruption in Civil Service: Brief Overview of the National Anti-Corruption Strategy**. March, 2016. Available at: <https://idfi.ge/en/preventing-corruption-in-civil-service-brief-overview-of-the-national-anti-corruption-strategy>.

KLOCHKO, I. O. The prosecutor's office of Ukraine in the system of subjects counteracting corruption. **Law and Safety**, v. 67, n. 4, p. 47-52. 2018. Available at: <http://pb.univd.edu.ua/index.php/PB/article/view/8>.

LAW OF UKRAINE. **On Lustration**, v. 7, n. 1682, Sept.16, 2014. Available at: <https://zakon.rada.gov.ua/laws/show/1682-18?lang=en#Text>.

LAW OF UKRAINE. **On Prevention of Corruption**, v. 7, n. 1700, Oct. 14, 2014. Available at: <https://zakon.rada.gov.ua/laws/show/1700-18?lang=en#Text>.

MAKARENKO, V. S. General Principles of Anti-Corruption in V4 Visegrad Countries: Experience of Hungary. **Law and Safety**, v. 77, n. 2, p. 126-132, 24 June 2020. Available at: <https://doi.org/10.32631/pb.2020.2.17>.

NIKHIL, Anand. Leaky States: Water Audits, Ignorance, and the Politics of Infrastructure. **Public Culture**, v. 27, n. 2(76), p. 305–330, 2015. Available at: <https://doi.org/10.1215/08992363-2841880>.

NOVAK, Anatolii. Organizational and legal aspects of formation of national anti-corruption strategy in the conditions of implementation of the provisions of the association agreement EU – Ukraine. **Public Administration and Local Government**, v. 29, n. 2, p. 40-45, 2016. Available at: [http://www.dridu.dp.ua/vidavnictvo/2016/2016_02\(29\)/7_eng.pdf](http://www.dridu.dp.ua/vidavnictvo/2016/2016_02(29)/7_eng.pdf).

PCHELIN, Vitalii. The Agencies of the National Police of Ukraine as a Subject of Prevention and Counteraction to Corruption in Ukraine. **Law and Safety**, v. 72, n. 1, p. 72-77, 2019. Available at: <https://doi.org/10.32631/pb.2019.1.09>.

REBOLLEDO VARGAS, Jairo Alfonso. Denial of Rights, Denial of Justice: The Embera Katío. **DIXI**, v. 20, n. 27, 22 Aug. 2018. Available at: <https://doi.org/10.16925/di.v20i27.2397>.

SHATRAVA, Serhii. **Administrative and legal principles of preventing corruption within the National Police of Ukraine**. The thesis for a doctoral degree by the specialty 12.00.07. Kharkiv National University of Internal Affairs, Kharkiv, 2017.

STEPANIUK, Ruslan; KIKINCHUK, Vasyl; SHCHERBAKOVSKYI, Mikhail. Proving Corruption in the Investigative and Judicial Practice of Ukraine: Problems and Solutions. **Law and Safety**, v. 80, n. 1, p. 101-108, 2021. DOI: <https://doi.org/10.32631/pb.2021.1.14>

TEREMETSKYI, Vladyslav; DEMIANCHUK, Vitalii. International experience of the implementation of anti-corruption policy. **Law and Safety**, v. 67, n. 4, p. 67-72, 2018. Available at: <http://pb.univd.edu.ua/index.php/PB/article/view/12>.

THE COMMONWEALTH. **Improving public administration and combating corruption**. 2021. Available at: <https://thecommonwealth.org/agv/improving-public-administration-and-combating-corruption>.

THE WORLD BANK. **Combating Corruption**. October 25-28, 2021. Available at: <https://www.worldbank.org/en/topic/governance/brief/anti-corruption>.

UNODC. **Preventing public sector corruption**. 2019. Available at: <https://www.unodc.org/e4j/en/anti-corruption/module-4/key-issues/preventing-public-sector-corruption.html>.