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ANTI-CORRUPTION ACTIVITIES AND THE IMPORTANCE OF ANTI-CORRUPTION EDUCATION

Annotation. The main destructive consequences of the prosperity of corruption in the state are such negative developments as violations of the principle of the rule-of-law; lack of public confidence in the State authorities; corruption in public institutions, which nullifies economic reforms and causes lower foreign investments, violates the principles of equality and social justice, etc. In Ukraine, there are many problems regarding such a phenomenon as corruption, because Ukrainian legislation is more declarative. That is why the development and implementation of anti-corruption measures should be a top priority on the way to becoming Ukraine as a rule-of-law state.

The current state of this anti-social phenomenon in the country is such that the sphere of corruption becomes a competitor of the state in the management of society, and the current organizational norms and social effect of corruption pose a threat to the national security of the country. In the absence of an ef-

fective system of control at different levels, loss of effective state leadership, corruption threatens the national sovereignty and territorial integrity of our state.

World practice shows that the combination of an effective system of combating corruption at the national and international levels, combined with regulatory support, has the greatest effect on the fight against corruption.

Considering corruption as one of the most serious obstacles to the country's economic and political development, the realization that it poses a threat to national security raises the need to create an anti-corruption education system as a separate component of the education system. Education and upbringing of the formation of anti-corruption outlook among citizens is part of the anti-corruption state policy to eliminate the causes and conditions that generate and nurture corruption in different spheres of life.

An important component in shaping the anti-corruption worldview is to use the potential of educational work in educational institutions. Given that the main purpose of anti-corruption education is the formation of civic consciousness, social disciplines are most favorable for its integration: social sciences, history, political science, ethics, etc.

The expected result of anti-corruption education is a person with knowledge of the dangers that corruption poses to the well-being of society and the security of the state, which does not tolerate corruption and is capable of eliminating this phenomenon.

Keywords: corruption, anti-corruption, anti-corruption activities, anti-corruption education, anti-corruption awareness, anti-corruption policy.

АНТИКОРУПЦІЙНА ДІЯЛЬНІСТЬ ТА ВАЖЛИВІСТЬ АНТИКОРУПЦІЙНОГО ВИХОВАННЯ

Анотація. Головними деструктивними наслідками процвітання корупції в державі є такі негативні явища як порушення принципу верховенства права; недовіра суспільства до влади; корупція в інституціях публічної влади, яка зводить до нуля економічні реформи і є причиною зменшення притоку іноземних інвестицій, порушує принципи рівності та соціальної справедливості тощо. В Україні існує багато проблем стосовно такого явища як корупція, адже українське законодавство має більш декларативний характер. Саме тому розробка та впровадження заходів антикорупційного спрямування має стати першочерговим завданням на шляху до становлення України як правової держави.

Сьогоднішній стан цього антисоціального явища у державі є такий, що сфера корупції стає конкурентом держави у здійсненні управління суспільством, а сучасні організаційні норми і соціальний ефект корупції створюють загрозу національній безпеці країни. За умов відсутності ефективної системи контролю на різних рівнях, втрати результативного державного керівництва, корупція загрожує національному суверенітету і територіальній цілісності нашої держави.

Світова практика свідчить, що найбільшого ефекту боротьби з корупційними діями дає поєднання ефективної системи протидії корупції на державному і міжнародному рівнях у поєднанні з нормативно-правовим забезпеченням.

Розгляд корупції як одного з найсерйозніших перешкод для економічного та політичного розвитку країни, усвідомлення того факту, що вона являє собою загрозу національній безпеці, породжує необхідність створення системи антикорупційного виховання як окремого компонента системи виховання. Просвітництво і виховна робота з формування у громадян антикорупційного світогляду є частиною антикорупційної державної політики щодо усунення причин і умов, що породжують і живлять корупцію в різних сферах життя.

Важливою складовою у формуванні антикорупційного світогляду є використання потенціалу виховної роботи в закладах освіти. З огляду на те, що основною метою антикорупційного виховання є формування громадянської свідомості, то найбільш сприятливим для його інтеграції середовищем є соціальні дисципліни: суспільствознавство, історія, політологія, етика і ін.

Очікуваний результат антикорупційного виховання — це особистість, наділена знаннями про небезпеку, яку представляє собою корупція для добробуту суспільства і безпеки держави, яка не мириться з проявами корупції та здатна і бажає усунути це явище.

Ключові слова: корупція, протидія корупції, антикорупційна діяльність, антикорупційне виховання, антикорупційна свідомість, антикорупційна політика.

АНТИКОРРУПЦИОННАЯ ДЕЯТЕЛЬНОСТЬ И ВАЖНОСТЬ АНТИКОРРУПЦИОННОГО ВОСПИТАНИЯ

Аннотация. Главными деструктивными последствиями процветания коррупции в государстве есть такие явления как нарушение принципа верховенства права; недоверие общества к власти; коррупция в институтах публичной власти, которая сводит к нулю экономические реформы и является причиной уменьшения притока иностранных инвестиций, нарушает принципы равенства и социальной справедливости, и так далее. В Украине существует много проблем относительно такого явления как коррупция, ведь украинское законодательство имеет больше декларативный характер. Именно поэтому разработка и внедрение мероприятий антикоррупционного направления должно стать первоочередной задачей на пути к становлению Украины как правового государства.

Сегодняшнее состояние этого антисоциального явления в государстве таковой, что сфера коррупции становится конкурентом государства в осуществлении управления обществом, а современные организационные нормы и социальный эффект коррупции создают угрозу национальной безопасности страны. В условиях отсутствия эффективной системы контроля на различ-

ных уровнях, потери результативного государственного руководства, коррупция угрожает национальному суверенитету и территориальной целостности нашего государства.

Мировая практика показывает, что наибольшего эффекта борьбы с коррупционными действиями дает сочетание эффективной системы противодействия коррупции на государственном и международном уровнях в сочетании с нормативно-правовым обеспечением.

Определение коррупции как одного из самых серьезных препятствий для экономического и политического развития страны, осознание того факта, что она представляет собой угрозу национальной безопасности, порождает необходимость создания системы антикоррупционного воспитания как отдельного компонента системы воспитания. Просвещение и воспитательная работа по формированию у граждан антикоррупционного мировоззрения является частью антикоррупционной государственной политики по устранению причин и условий, порождающих и питающих коррупцию в разных сферах жизни.

Важной составляющей в формировании антикоррупционного мировоззрения является использование потенциала воспитательной работы в учебных заведениях. Учитывая то, что основной целью антикоррупционного воспитания является формирование гражданского сознания, то наиболее благоприятной средой для его интегрирования являются социальные дисциплины: обществоведение, история, политология, этика и др.

Ожидаемый результат антикоррупционного воспитания — это личность, наделенная знаниями об опасности, которую представляет собой коррупция для благосостояния общества и безопасности государства, которая не мирится с проявлениями коррупции и способна и желает устранить это явление.

Ключевые слова: коррупция, противодействие коррупции, антикоррупционная деятельность, антикоррупционное воспитание, антикоррупционное сознание, антикоррупционная политика.

Problem statement. Ukraine has suffered from systemic corruption for many years since its independence in 1991. The ruling elite was very reluctant to introduce the necessary anti-corruption changes, and their implementation was largely sabotaged. Widespread corruption reached its height during the presidency of Viktor Yanukovich when the government turned into a corruption pyramid. Eventually, this situation triggered an

outburst of mass civil protests known as the Revolution of Dignity.

Following these events, Ukraine has made an impressive breakthrough in the fight against corruption by launching a smart anti-corruption reform. A new institutional framework has been created to independently investigate cases of high-profile political corruption, and new mechanisms for detecting and preventing corruption have been put in place, which laid

the foundation for a successful fight against corruption. These new institutions face increasing resistance from the country's political and business elites, regardless of their formal political affiliation, and the practical implementation of new anti-corruption instruments is compounded by the lack of anti-corruption education of young people.

Analysis of recent publications on research issues. Problems of corruption in Ukraine and methods of anti-corruption education were revealed in their works by V. V. Nonik, T. S. Hzybovska, P. I. Haman, A. M. Novak, Yu. O. Smirnova, O. V. Volianska, O. V. Shkuropat, A. M. Novak, N. V. Smetanina and others.

Purpose of the article. The purpose of the article is to study the theoretical and practical aspects of anti-corruption activities in Ukraine and the basics of the formation of the anti-corruption education system as a tool of the anti-corruption strategy of the state.

Presenting the main material of research. Theoretical and methodological aspects of anti-corruption activities are defined by the Law of Ukraine "On Prevention of Corruption". The law establishes the organizational and legal bases for the functioning of the anti-corruption system in Ukraine, the nature and methodology of preventive anti-corruption activities, the rules for eliminating the consequences of corruption.

Anti-corruption activities are carried out in three directions:

1. Prevention of corruption offences.
2. Detection of corruption offences.

3. Elimination of consequences of corruption offences.

Therefore, anti-corruption activities are closely related to the concept of "corruption offence".

Corruption offence is an act that contains signs of corruption and is committed by a subject to whom the Law of Ukraine "On Prevention of Corruption" applies. Also, criminal, disciplinary or/and civil liability should be imposed for this act [1].

Thus, it is important to determine what corruption is.

According to the legislation of Ukraine, corruption is the use by a subject covered by the Law of Ukraine "On Prevention of Corruption", of related official powers or opportunities to obtain or accept an undue benefit, offer/promise of that benefit to itself or other persons or making an offer/promise to give undue benefit to the subject of the relevant law or at its request to other legal or natural persons in order to persuade the subject to unlawful use of the given powers or opportunities [1].

So, it is clearly stated that for the use of the term "corruption", at least one of the persons involved in the act must have official powers or opportunities related to them, and therefore the corruption offence is related primarily to the use of powers to perform the functions of the state or over state-owned enterprises or state property [2, p. 86].

Anti-corruption activities in Ukraine are carried out by the following specially authorized entities: prosecuting authorities, the National Police, the National Anti-Corruption Agency and the National Anti-Corruption Bu-

reau of Ukraine. Let's consider the peculiarities of NABU activity.

On October 14, 2014, the Verkhovna Rada of Ukraine adopted the Law № 1698-VII "On the National Anti-Corruption Bureau of Ukraine". On April 16, 2015, the President of Ukraine signed Decree № 217/2015 "On Establishment of the National Anti-Corruption Bureau of Ukraine" [3]. From that moment the creation of a new state body began.

According to the Law, NABU has to:

1) carry out operative-investigative measures with the purpose of prevention, detection, termination and disclosure of criminal offences attributed by the law to its jurisdiction, as well as in operative-investigative cases demanded from other law enforcement agencies;

2) carry out the pre-trial investigation of criminal offences referred by law to its jurisdiction, and conduct a pre-trial investigation of other criminal offences;

3) take measures for the search and seizure of funds and other property that may be the subject of confiscation or special confiscation in criminal offences attributable to the jurisdiction of the National Bureau, carries out activities for the storage of funds and other property subject to seizure;

4) interact with other government bodies, local self-governments and other entities to fulfill their responsibilities;

5) carry out information and analytical work in order to identify and eliminate the causes and conditions conducive to the commission of criminal offences attributed to the jurisdiction of the National Bureau;

6) ensure the personal safety of the employees of the National Bureau and other persons defined by law, protection against unlawful encroachment on persons involved in criminal proceedings;

7) ensure, based on confidentiality and voluntariness, cooperation with persons who report on corruption offences;

8) inform society about the results of its work;

9) pursue international cooperation within its competence.

As of November 30, 2019, NABU opened 836 proceedings, made 221 reports of suspicion, 418 persons were indicted, 237 cases were brought to court, 37 of which were sentenced.

During the first half of 2019, as a result of the activities of NABU detectives, UAH 173,87 million losses were compensated, theft for UAH 8,28 billion was prevented [4].

NABU is also active in handling applications from citizens [5].

The activities of the authorities in the fight against corruption bring about results. According to the Corruption Perceptions Index, Ukraine has gained some points and improved its performance in 2018 – 32 points, that is 130 place out of 180 countries.

Transparency International Ukraine, an accredited representative of the global movement Transparency International, a non-governmental international organization for combating corruption and investigating its level, noted the fact that most of the organization's recommendations were only partially implemented and ignored in 2018.

Namely, there was no strengthening of the National Anti-Corruption Bureau of Ukraine. NABU detectives were not granted the right to their own listening devices, the so-called “wire-taps”. Instead, changes to the legislation have made it difficult to conduct criminal investigations. The unconstructive public confrontation between law enforcement has intensified.

It is worth noting the continued pressure on activists and journalists, the horrific example of which was the murder of Kateryna Handziuk.

Discarded in previous years, the National Agency for Corruption Prevention is still unable to effectively fulfill its role in anti-corruption infrastructure due to the lack of conditions for its reboot.

The NACP did not become the technical administrator of the e-declarations register because it did not gain access to some state registers, so the announced automatic verification of electronic declarations makes no practical sense. Also, the tender for the Agency’s audit was held with legislative violations.

The Security Service of Ukraine and the National Police had to transfer the functions of combating economic crimes to the Financial Investigation Service. This did not happen, the FIS has not yet been created, so the pressure from these law enforcement agencies on the business remains significant.

It is evident that the progress made in recent years has been largely driven by reforms initiated back in 2014. Lack of political will remains one of the main deterrents to anti-corruption progress [6].

As the experience of many developed countries shows, the main prerequisite for the detection of corruption offences and the effectiveness of anti-corruption measures is the activity of citizens who are really interested in combating corruption. Awareness of corruption as one of the most serious obstacles to the economic and political development of a country, as a threat to national security, requires the creation of an anti-corruption education system as a separate component of the education system and its incorporation into the anti-corruption strategy of the state.

The purpose of anti-corruption education is to form an anti-corruption outlook, strong moral foundations and values of personality, civic position and stable skills of anti-corruption behavior, increase the level of legal consciousness and a sense of patriotism, especially among young people – that is, to form the competence of anti-corruption.

The result of such education should be a person endowed with knowledge about the dangers of corruption for a society, who does not want to put up with its manifestations and actively participates in eliminating the causes and conditions of corruption [7].

The anti-corruption education program should be started in the elementary classes through the implementation of programs aimed at forming the moral foundations of the individual, the foundations of legal culture and citizenship. The study can be provided in the form of lessons and classroom hours, competitions and games, electives, discussions and trainings.

In the middle and upper grades of secondary school students can be in-

cluded in the system of anti-corruption education through general education subjects, participation in school self-government, socially significant design, civic actions, etc.

The integration of anti-corruption education into the educational process requires a thematic context since the problem of corruption cannot be realized without consideration of the appointment of the civil service, ethical and legal requirements for civil servants. Concepts and values that are important in shaping anti-corruption attitudes may also convey other topics.

There are different ways to integrate. In the course of anti-corruption education in the secondary education area, additions that are directly related to corruption should be introduced into the program. This approach is widely used in high school programs where social disciplines such as social studies, history, economics, ethics are taught. Another approach involves analyzing the core values and concepts that are associated with the phenomenon of corruption, as well as expanding existing subject programs, thus highlighting aspects that have received insufficient attention.

Anti-corruption education in higher education institutions is carried out through the inclusion of special courses and specific disciplines of anti-corruption orientation in the curriculum, and also provides for non-formal anti-corruption education that can be carried out outside the educational process. Within the framework of the informal approach, the anti-corruption education program is implemented through seminars, trainings, business games, writing competition works, projects,

holding civic and youth forums on combating corruption, developing computer information and legal programs, creating projects of social importance, conducting civil actions on anti-corruption, print production, film making, sociological research, online questionnaires. This way of introducing anticorruption education is quite effective and does not require big expenses. Information on the goals of anti-corruption education is provided through promotion activities, conferences, meetings with law enforcement officials and more.

Conclusion and prospects for further research. It should be understood that the effect of any measures will not be noticeable immediately since the formation of anti-corruption consciousness takes time. Only through systematic and purposeful work, the corruption intolerant generation can be educated.

It can be confidently said that the country's law enforcement system does not cope with the task of combating corruption. Criminal prosecution alone is not able to shake off large-scale corruption; the fight against corruption is not a criminal but a systemic problem. The quality of the work of law enforcement agencies is low and they are undermined by corruption and the professional level of employees in the general mass does not meet the complexity of the problems. The law enforcement system cannot cope with the task of combating corruption on its own, it must be solved jointly by the state and society.

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