

what Methods of Fighting with Corruption Do You See in the Future



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The basic problem of the fight against corruption is not problems with inventing new methods for fighting it. The main problems are problems with the execution and enforcement of a law. In other words, the basic problem does not lie in the legal field.

In addition, it is necessary not forget that any new method, in practice, leads to elimination of objectionable officials for management (who, as a rule, are not inclined to these or other corruption acts).

As to methods of fighting corruption, I would rank publicity of acts or omissions by officials, openness and the existence of developed unwritten customs. For example, if relatives were involved in a scandal (not to mention directly the official) it would be necessary that resignation or even a period of discharge for the period of investigation of such an official, etc. followed in such cases.

And lastly, and probably one of the most important things, would be to bring order to the judicial system (directly to judges, and acts of participants to a dispute).

The definitions of corruption, as provided for in the laws of Ukraine and international legal acts, show that corruption as such is an extremely diverse phenomenon. The means of fighting corruption are no less diverse. Millions of people are engaged in resisting corruption; however, unfortunately, the situation is far from one, which is progressively improving. Some time or other we will have to conclude that - just as any other crime — corruption cannot be cured by punitive measures, no matter how severe or efficient they may be.

Realistically speaking, the legal means of punishment for corruption

must inevitably be supplemented by means of preventing it. The overwhelming majority of offenders are driven to crimes by "intellectual" or "economic" reasons under the formulation: a bribe plus potential criminal liability is less than no bribe and no liability but observance of procedures. They must see clearly that obeying the law is less burdensome than violating it and see it in practice, not in declarations. Of course, it is a tricky task for the government to make the law and its enforcement clear and consistent enough to give corruption no grounds to grow upon. However, the level of corruption in certain areas must be considered inversely proportionate to the quality of regulation therein.



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Corruption is one of the oldest problems encountered by humanity. However, millennia of human history have not led to it being resolved.

I'd like to emphasize several main points, which could be helpful in the fight against corruption. A country willing to start and to win in this fight should have an independent and powerful media, attorneys, and judges. These institutions should be effective in talking about corruption and punishing corrupt politicians and officials. Putting more information into the public domain and making some government institutions independent would also lessen the likelihood of corrupt actions.

For example, in the judicial sphere, all documents deposited with courts should be open to the public. This will put more pressure on litigants and judges, so they will know that everything they say and make is open for the media and NGOs.

The procedure for appointing judges should be changed. Any candidate to this position should pass public exams, so every member of the legal community is able to verify their results and the whole procedure of nominating and appointing judges.

Making legal procedures more competitive, with the state being an ordinary participant of suits, will lead to judges taking a really independent stance and being accountable. However, this process shall be accompanied by implementing stricter regulations for judges.

At the moment an independent anti-corruption agency is of high importance. It shall be obliged to address all corruption complaints with investigatory judges controlling investigators' actions, which would make inequality of parties impossible.

Media reports on facts of corruption shall be investigated with stricter sanctions implemented for journalists who abuse their professional duties through deliberately false reporting.

Corruption remains a topical issue in Ukraine and in many other countries. Even cursory analysis of the situation allows one to speak with confidence that venal practices affect all public authorities in Ukraine, including those called to fight corruption: the courts, law-enforcement bodies, etc. At the same time, many programs against corruption at all levels of state power appear almost daily and their implementation does not result in any significant changes to this matter. In our view, it is necessary to establish the reasons for corruption in order to work out ways to fight it. In our view, those reasons are: frequent changes of legislation, including in the field of regulating the work of entrepreneurs, imperfections in tax policy, the inability to control the professional and moral merits of persons taken to work in the civil service, a token approach to state officials declaring their incomes, the shadow economy

and the fairly low level of behavior of the population.

Another fact is that corrupt practice occurs, as a rule, when decision-making is not regulated legislatively and depends, in the main, on the will of the subject of authoritative powers. In most cases venal practices arise among officials.

Thus, in our opinion, one of the ways to fight corruption is to restrict the power of officials in the decision-making process.

Besides, to achieve success in reducing venality on the part of officials it is necessary, first and foremost, to raise the behavioral level of the population (including knowledge of law), improve legislation, pursue reform of the judicial system, improve tax policy, etc. Another important point is overall growth in the prosperity of the people.

To sum up, anti-corruption efforts must be overall and systematic, but not be limited to several measures, which, in our opinion, are not capable of yielding tangible results.



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There are many examples of imperfections in the Ukrainian business environment and each of these open the door to potential corruption. These include:

- Failure by the Ukrainian Parliament to adopt a law on joint stock companies, which causes a large number of suits. However, settlement of these disputes is not always built on equal application of national legislation.
- Complicated procedures set out in Ukrainian land legislation to grant land plots for sequential real estate development (for both commercial and social infrastructure).
- The procedures for acquiring various permits and licences that need to be obtained to carry out different business activities.

Any attempts to reduce or eliminate sources of corruption must be integrated between legislation, government actions, public awareness, the private

sector and stricter adherence to the rule of clear law in Ukraine.

Simplification of formalities for approaching the state authorities and setting up on the legislative level of minimum requirements for such applications should be clarified in legislation. In these circumstances, a functionary would not be able to refer to any statutory acts and require other documents or additional approvals. The procedure should be clear and unambiguous.

Not everything can be simplified overnight but all state bodies should agree on an agenda for simplification.

However, if targets are set and communicated to the public and to all levels of government then it is possible to draft, approve and enact legislation, which will considerably restrict the "points of corruption" which are exploited. We need champions for this cause who will lead Ukraine to a new, world-class business environment that is fair and not corrupted.

At the present time, one of the reasons for the inactive fight with corruption is the existence of double moral standards in the state. On the one hand, there are many slogans proclaimed about "clean hands", etc. and still budget resources are being stolen as they were in the past.

The huge number of regulatory acts related to the activity of business entities is an essential and somehow driving factor of ongoing corruption. It is extremely necessary to significantly review and cancel excessive approval procedures and other regulatory mechanisms.

I would like to note that to fight corruption in an effective manner various methods must be applied.

It must be remembered that corruption can be defeated only when there is the will to do so in a civil society. Without it any fight against corruption is impossible.

Worldwide practice proves that the development of civil society is of great importance, as it is the main driving force in the fight against acts of corruption. For example, excellent results are achieved when society controls implementation of certain public projects in connection with which the control for the fulfillment of certain obligations as well as distribution of budget funds is carried out.

In general, methods of fighting corruption can be divided into two types — preventive and strict. Preventive methods may include, for example, education, upbringing, cultural development and other types of control. Strict methods may include strict legislation and punishment.

It should also be noted that high living standards of the population also contribute to significant extermination of corruption, and development of the national economy in this connection becomes necessary.



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First of all, I would like to admit that in my opinion corruption is a phenomenon, which is practically invincible and almost impossible to eradicate. Periodical scandals connected with corruption, which arise in the most favorable countries of the world, confirm this fact.

The question is the extent of the spread of corruption and what kind of mental attitude does the citizens of a country have.

In Ukraine all the prerequisites for the development and spread of corruption exist. These are: 1) a lack of powerful responsibility for corruption and real mechanisms for prosecution, 2) poverty of the majority of people, 3) huge sums of money (sometimes crazy sums) which float around and which attract everyone greatly, and lastly 4) entire acceptance of corruption by the majority of people — corruption as a normal phenomenon and normal way of making a living.

For me real actions aimed at minimizing corruption which could have success, might be:

1) A wide and long-lasting PR campaign against corruption. The goal is to nurture a negative attitude towards corruption as to an unlawful phenomenon.

2) To raise the income levels of civil servants and other officials to a level, which is sufficient enough for them not to take bribes.

3) To oblige tax bodies to compare the declared incomes of people with their expenses on goods and services which cost for example more than UAH 5,000 and to give the tax bodies the opportunity to require explanations from these people when their expenses are much more than incomes.

In my opinion these steps, if taken simultaneously and their qualitative fulfillment, could provide success in reducing the level of corruption in Ukraine.

Modern society has developed many methods to combat corruption. Education is one of them. The main distinctive feature of this method is that it combats not corruption itself, but rather its main reason — tolerance by people to this social phenomenon.

Education as a method requires a complex approach and does not provide immediate results. This method works if a generation is constantly educated from its first years in a kindergarten to the last year in the university. Usually it takes up to 20 years to raise a generation of people who psychologically do not accept corruption and are ready to help the state in its anti-corruption activities.

To combat corruption through education is not a new idea. The experience of Japan is very illustrative and can be adopted by Ukraine. Today, Japan is known as the country with the lowest

level of corruption in the world. The situation was much worse twenty years ago when the Japanese authorities decided to introduce anti-corruption education programs in kindergartens, schools and universities. The idea was to start anti-corruption education with the youngest representatives of Japanese society and constantly continue such education in secondary schools and universities. The first results came only fifteen years later when corruption levels began to drop.

Ukraine is a country where people tolerate corruption in the majority of cases and consider it as a normal and sometimes necessary way to solve their problems. In such a situation no anti-corruption initiatives will bring success. Therefore, a change of attitude towards corruption by our people from positive to unacceptable is a key factor in combating corruption in Ukraine. Constant education would definitely help to bring about such change.



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