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## FOREIGN ANTI-CORRUPTION EXPERIENCE

Today total corruption has penetrated all spheres of life in Ukraine. The corruption scope even became a threat to the national security. The Ukrainian society is not only fully aware of the complexity of the current situation, but also claims the government to take strong anti-corruption measures. Recent dramatic events of Euromaidan in Kyiv shows that the Ukrainian people do not want to live as before, tolerate the arbitrariness of officials, corruption and social injustice.

Eliminating corruption is a difficult task and the solution requires a systematic approach, as well as the proper political, legal and institutional actions. The lack of positive results of the national

fight against corruption encourages us to learn and summarize the international experience in this sphere. Here are a few examples of countries, which had made substantial progress in fighting corruption. Most of these countries recently had an extremely high level of corruption.

Israel The basis of all anti-corruption measures in Israel - is famous monitoring of possible corruption actions. The monitoring is carried out by government agencies, special units of the police, the Office of the State Controller, which is independent from the ministries and various NGOs. If the corruption facts appear the investigating bodies are being informed immediately.

The law which was adopted in 1992 empowers the president of Israel to award citizens of the country who revealed corruption offenses. Receiving an award requires only one demand - the investigative authorities have to find the exposure reasonable. The legislation of Israel provides significant social benefits for the state employers. At the same time the penalties for the officials, involved in corruption actions are very heavy, thus local corruption in the country is almost absent. The number of cases brought to court is less than 5%. Likewise the register of the corrupted firms has been also created in Israel.

Germany The liquidation of material and first of all the financial part of organized criminal groups is the basis for fight against corruption in Germany. The legal base in the country prevents money-laundering, the property of persons, involved in corruption actions should be confiscated. Likewise, the bank institutions are obliged to provide information, concerning the money transactions over 20 000 Euros, to the law enforcement agencies. This information should be used for the investigation purposes only. Everyone, who opens a bank account for the total amount of 50 000 Euros, is obliged to pass the dew identification procedures. The general line of the German government in the area of prevention of corruption is the elimination of corruption in public service. Germany, by an example of other countries, in particular Israel, plans to create the register of the corrupted firms. Those, who gets to this "black list" loses the right to participate in any state tenders and automatically become the object of closer attention of the law enforcement agencies.

Great Britain This country has the most ancient traditions in the fight against corruption. The system of anti-corruption mechanisms is settled here on the legislative level. The first anticorruption law in the civil service was adopted here in 1889. The following two laws as of 1906 and 1916 were consequences of society's reaction for spreading this socio-political phenomenon. Contrasting legal traditional principles, these laws obliges officials to prove own innocence.

In Great Britain the public opinion plays very important role during the decision making, especially if the case somehow affects social, political and economic development of the country.

The Committee on Standards in Public Life was established in October 1994, as an advisory [non-departmental public body](#) of the United Kingdom Government. The Committee's original terms of reference were: to examine current concerns about standards of conduct of all holders of [public office](#), including arrangements relating to financial and commercial activities, and make recommendations as to any changes in present arrangements which might be required to ensure the highest standards of propriety in public life. In particular, the committee studies activities of members of parliament who advise firms related with impact on a state policy. By results of Committee work, the House of Commons of parliament decided to appoint the parliamentary director of standards, to forbid a patronage and to divulge additional profits of parliament members.

Singapore The progress of anti-corruption policy in the country simply impresses.

The main unit of the Singapore's fight against corruption system is constantly operating specialized body - the Corrupt Practices Investigation Bureau (CPIB). The CPIB is an independent body which investigates and aims to prevent corruption in the public and private sectors in Singapore, besides it is the sole agency responsible for combating corruption in Singapore. The CPIB is supported by the following factors, which form the Anti-corruption Strategy:

- Effective Anti-Corruption Acts (Anti-Corruption Laws)
- Effective Anti-Corruption Agency (Independent CPIB)
- Effective Adjudication (Independent Judiciary) and

- Efficient Government Administration (Responsive Public Service).

The bureau is responsible for safeguarding the integrity of the public service and encouraging corruption-free transactions in the private sector. It is also charged with the responsibility of checking on malpractices by public officers and reporting such cases to the appropriate government departments and public bodies for disciplinary action. Although the primary function of the bureau is to investigate corruption under the Prevention of Corruption Act, it is empowered to investigate any other seizable offence under any written law which is disclosed in the course of a corruption investigation.

Besides bringing corruption offenders to book, the bureau carries out corruption prevention by reviewing the work methods and procedures of corruption-prone departments and public bodies to identify administrative weaknesses in the existing systems which could facilitate corruption and malpractices, and recommends remedial and prevention measures to the heads of departments concerned. Also in this regard, officers of the bureau regularly conduct lectures and seminars to educate public officers, especially those who come into contact with the public, on the pitfalls of and the avoidance of corruption.

Japan The experience of fight against corruption shows, that the absence of single unified act, aimed to defeat this evil, does not affect the effective resolution of the problem. For example, in Japan the anti-corruption regulations are present in different national laws. Moreover, Japan has no single agency designated solely to fight corruption; however, many agencies actively fight corruption within their jurisdiction. For example, the Fair Trade Commission (JFTC), the National Police Agency(NPA), and the National Tax Administration Agency NTAA).

The Japanese Legislators gives special attention to various bans and prohibitions on politicians, state and municipal employees. These prohibitions relate numerous measures which factually neutralize officials from private business, as during the period of their employment in the State Service, as well as after they leave.

There are strict restrictions stipulated for financing of election campaigns, political parties, any donations for candidates and so on. Violation of the law is punishable by sanctions.

In Japan, as in other countries, the main tendency of the fight against corruption is the human resources policy.

Thus, the priorities in the fight against corruption are: 1) Measures of Political Economy (accountability of political leadership, political parties and campaigns financing reform); 2) reform of civil service (adequate salary, motivation policies); 3) civil liberties (the system of social and legal control, as well as influence over politicians by civil society).

USA In this country the wide experience of the fight against corruption has been accumulated. Exactly here, in 1929 for the first time in the history, the organized crime became a subject of discussion at "high level".

Since then this problem is in the center of attention of the commissions, committees and subcommittees which were created according to the decision of the congress or the president who as a result of long and in-depth examination of various aspects of fight against organized crime and corruption developed the recommendations, which later became the basis for federal laws.

In June, 1970 the US Government created National Security Council for combat International Organized Crime, whose main objective was to develop a national action program. Leading role in the fight against organized crime belongs to the Department of Justice. The Department of Justice (DOJ) is responsible for enforcing laws, providing Federal leadership in preventing and controlling crime, developing Strategy to Combat Transnational Organized Crime and performs methodical management of this work.

The Federal Bureau of Investigations (FBI) is the main division of the Department of Justice directly assigned to combat against organized crime.

In the US legislation the concept of "public corruption" is determined rather widely. It includes a number of the illegal acts provided generally in four chapters of title 18 of US Code:

- 1) "Bribery, dishonest income and abuse of public officials";
- 2) "Officials and employees on hiring"; 3) "Racketing and threats";
- 4) "Elections and political activities".

Criminal prosecution for bribery in the USA is exposed not only on those who take bribes, but also those who offer it. In US Code it is detail specified what categories of officials are understood as the persons, accepting bribes. Responsibility for bribery is subject everyone who gives, offers, promises something valuable with the illegal purpose to a public official or candidate for this position.

As well as the Japanese, the US legislation provides restriction of business activity of the former officials, after his/her dismissal from State authorities.

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