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International Anti-Corruption Standards

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Abstract---The article studies the issues of combating corruption in the aspect of its incorporation into international standards. Corruption has been identified as a threat to democracy and economic development in many States. It arises from the process of the exchange of power for material assets, that is, when a competent person performs or refrains from performing certain actions for remuneration, and due to the weakness or weakness of the state, political, and public institutions that control and limit these processes. It is noted that the world community is seriously thinking about those negative consequences (threat of statehood, undermining trust in the authorities, causing harm to the individual, society, the functioning of organized crime, a drop in the level of professionalism of employees, a decrease in the level of legal awareness of spirituality) caused by corruption, and realizes that all States need to act as one to achieve serious positive results. It is noted that the international community, to develop effective measures to prevent and eradicate corruption, has adopted several international treaties, as well as recommendations that are not binding but are used by States as effective mechanisms for monitoring corruption.

Keywords---anti-corruption, corruption, countering, international legislation, international standards.
Introduction

The socio-political and scientific literature devoted to international political problems, politicians and scientists increasingly notes that corruption in government has not only an international dimension but is also a serious problem of world politics. There is no objection to the risk of widespread corruption. Corruption is common, albeit to varying degrees, to all countries, regardless of their political structure or economic level of development. The particular relevance of the topic lies in the severity of the existing problem, its huge scale, the impression of corruption in all spheres of society and all levels of government. The wide discussion of the problem of corruption and the public outcry caused by high-profile corruption scandals confirm the urgent relevance of its solution, and therefore the scientific awareness of all aspects of this problem. This is essential for modernizing the state economy, improving power and improving the quality of public administration. Countering and preventing corruption is one of the most important tasks of not only each state but also the entire world community. It is widely recognized that the fight against corruption concerns the interests of almost all States. In today's globalized society, the fight against corruption creates a set of problems that affect all spheres of society. Without denying the increasing use of corruption to carry out power activities, it can be noted that the need for international efforts to successfully solve these problems is recognized both by scientists and specialists from various industries, as well as by the public and statesmen of individual countries (Andersen, 2009; Abbink, 2004; Nam, 2018).

To improve the effectiveness of the fight against corruption in the authorities, it is necessary to develop and implement a coherent anti-corruption policy that protects society from the negative impact of corruption and protects human and civil rights. In the context of globalization, national anti-corruption measures were insufficient. It is no coincidence that UN Secretary-General Ban Ki-moon notes that, for example, billions of dollars are stolen or spent annually in developing countries - due to bribery and other abuses... The global financial crisis highlights the need for stronger regulation. To do this, you need to work together to more actively combat corruption. The world community, concerned about the growing number of corruption crimes around the world, has developed several fundamental international instruments to counter and combat corruption. Among them, the fundamental “UN Convention against Corruption” (United Nations, 2003) stands out. The need for international organizations and governments to engage and cooperate closely with society in the fight against corruption was manifested in the formation in 2006 of the United Nations Convention against Corruption (UNCAC) Coalition, an international network of civil society organizations in support of UNCAC. From this moment, a single world standard for combating corruption begins to be formed under the influence of both state and non-state participants.

The empirical basis of the scientific article was the provisions of normative legal acts of Ukraine, the provisions of international law, in particular, related to the issue of combating and preventing corruption. In the process of working on the article, scientific data from modern jurisprudence, the science of international relations, world politics and economics were actively used. The theoretical basis of this article was the modern scientific developments of domestic and foreign
scientists on international anti-corruption standards, directions for improving legislation on this issue and law enforcement practice. During the study, general scientific methods of analysis and synthesis, a historical and systemic approach were used. Political analysis was widely used, descriptive and comparative analysis was carried out. The case-study method was used to assess the role of civil society organizations in international cooperation against corruption, as well as to examine the experience of individual States in combating corruption (Emmanuel et al., 2017; Kustina et al., 2019).

The problem of corruption within the legislative framework

Among the challenges to the world community, the issue of combating corruption remains particularly problematic today. By acquiring new features, corruption penetrates into all spheres of life, thereby damaging the state. The World Bank estimates that one trillion dollars are wasted every year in the world. The close link between corruption and organized crime is even more dangerous. These phenomena, representing symbiosis, complement each other, thereby increasing the sustainability of their activities. The world community, concerned about the trends in the development of corruption, is trying in every way to counter this phenomenon. In this regard, global forums are discussing, adopting international standards and mechanisms to combat corruption. However, in most cases, the fight against corruption is local, at the national level, since the process of integration of States in this matter is slow. In addition, among the adopted international instruments, declarative acts are numerically superior to general binding instruments. Problems with the harmonization of legislation on liability for corruption are also serious obstacles (Karhunen & Ledyaeva, 2012; Xu & Yano, 2017).

Corruption is a threat to democracy and economic development in many States. It arises from the process of the exchange of power for material assets, that is, when a competent person performs or refrains from performing certain actions for remuneration, and due to the weakness or weakness of state, political and public institutions that control and limit these processes. In the modern world, the issue of combating corruption is quite relevant. All States are concerned about this social phenomenon, which serves as a springboard for the heyday of various types of crime, which in turn can destabilize society, create many “shadow” economies, and disrupt the normal functioning of State bodies. As a result, this could threaten the existence of a social institution such as the State, which is the impetus for the emergence of hotbeds of anarchy and widespread violations of human rights.

The legislative definition of corruption was given in ancient times. Thus, in Roman law, “orrumpere” was understood to mean any unlawful act committed against a judge. Machiavelli (2014), believed that corruption is the use of public opportunities in personal interests (Abashidze, 2007). In his work The Prince, he noted: “There is one unmistakable way to find out what an assistant is worth. If he cares more about himself than about the state, and in any way seeks his benefit, he will never be a good minister to the state, and he will never be able to rely on him” (Machiavelli, 2014). Thus, the preamble to the UN Convention against Corruption (United Nations, 2003) notes that “corruption is no longer a
local problem but has become a transnational phenomenon that affects the society and economy of all countries, which makes international cooperation in preventing and combating corruption extremely important…” In the international legal sense, “corruption is the abuse of public power for personal gain” (United Nations, 2003).

Now the world community is seriously thinking about those negative consequences (threat of statehood, undermining trust in the authorities, causing harm to the individual, society, the functioning of organized crime, a drop in the level of professionalism of employees, a decrease in the level of legal awareness of spirituality) caused by corruption, and realized that while measures taken by individual States to combat corruption could have short-term effects, all States needed to act as one to achieve serious positive results. Corruption exists in any society. It is common to all States that corruption is condemned in any culture and that most countries have adopted anti-corruption legislation. To develop effective measures to prevent and eradicate corruption, the international community had adopted several international instruments, as well as recommendations that were not binding but were being used by States as effective mechanisms for monitoring corruption (Potrafke, 2012; Heyneman, 2004; Arsawati, 2016).

More recently, however, there has been widespread international practice of bribing foreign officials. In some countries, you could even get a bribe deduction from your company’s tax liabilities (Council of Europe, 2015), and it is no wonder that the international corporations bribed worldwide to ensure business. A number of the juicy corruption scandals connected with it changed the situation. So, for example, in the course of investigations in the mid-seventies more than 400 American companies recognized that also “rewards” for the total amount more than 300 million dollars bribed officials of the foreign governments, politicians and political in lots (Council of Europe, 2015). Thereof the US Congress adopted the Foreign Corrupt Practices Act (1977) which for the first time the bribe to the foreign official was recognized as crime. Adoption of this law became a push to more active state cooperation in the discussion of problems of corruption, need of develop of the international standards on fight against corruption both on global, and at the regional level.

For comprehensive study of such phenomenon as corruption, except acts it is necessary to address the theoretical bases stated in works of scientists. According to professor Dolgova (1997), corruption represents “the social phenomenon which is characterized by bribery – bribability of the public or other servants and on this basis mercenary use by them in personal or in the factional, corporate interests of official office powers, related the authority and opportunities”. Famous scientislawyer, professor Kuznetsova (Gurov et al., 1994), defines corruption as “socially dangerous phenomenon which is expressed in bribery of employees of government and non-state structures”. Kirpichnikov (1997), gives the following definition to corruption: “Corruption is a corrosion of the power. As rust corrodes metal, thus corruption destroys government and corrodes the moral background of society”. Volzhenkin (1998), gives the most developed definition to corruption. According to him, corruption is the social phenomenon consisting in the decomposition of the power when the public (municipal) servants and other persons authorized for the
performance of the state functions use the official position, the status and authority of a post on the mercenary purposes for personal enrichment or in-group interests. The political scientist Nye (1967), defines corruption as “behavior which doesn’t correspond to formal duties of a public role, owing to the private relations (personal, family) used for enrichment or increase in the social status”.

It is impossible to say that corruption is always the illegal phenomenon as it can exist within the legal framework. So, now corruption includes not only illegal benefit and waste, but also other versions which are lawful in many countries. For example, the concept “lobbyism” existing in the USA which consists in sponsoring of politicians, public organizations and the press for implementation by them of actions, favorable to a certain circle of people. According to the philosophical encyclopedia, “the lobbyism (from English lobby – a lobby, a corridor, a lobby) is a rendering pressure upon public authorities from social and political groups, the commercial organizations or individuals for the adoption of acts favorable by him, administrative or political decisions”. At the same time, a legislative basis for this activity is the first amendment to the Constitution of the USA (1787) affirming the right for freedom of speech and a possibility of the appeal to Congress. According to official figures, annually in Washington as lobbyists is registered from about 10,000 people.

Though from the legal point of view the corruption is perceived negatively, from the economic point of view of manifestation of corruption justify themselves many authors. Theobald (1990), removed such benefits from corruption:

- accumulation of the capital;
- enterprise;
- penetration of business approach on bureaucratic Wednesday;
- influence of market forces.

Timofeev (2000), considers that “in many cases the corruption will be considered as the phenomenon positive, reasonable as a manifestation of common sense in economic behavior of the person. It turns out that quite so it becomes visible if to address a historical retrospective. Time washes away a soot of legal prejudices and ideological myths from the historical phenomena and allows to make out deep motive of public conduct of the person – his rational economic interest which explains, and sometimes and justifies crime of the legal law”. Levin & Satarov (1997), see in corruption manifestations the “lubricant means” capable to compensate shortcomings of public administration. Though these conclusions can seem at first sight fair, however, they are incorrect because in this case negative consequences of corruption aren’t considered. Proceeding from above specified, we have the basis to say that corruption is one of the forms of dishonest and also unethical behavior of the person to which some rights on the representation of the authorities at any given level are entrusted, to implementation of functions of the power, directed to obtaining personal benefit.

**Indicators of corruption worldwide**

Need to fight against corruption in is recognized by government institutions, business, the organizations of civil society worldwide. Specifics of this problem,
theoretical and practical complexity of fight against her consist in lack of uniform criterion for evaluation of corruption and the conventional methods of measurement of her level in any given state. Also for the obvious reasons the corruption level in the country can’t be estimated objectively by collecting only empirical data. For increase in efficiency of the events held within fight against corruption at the national and, especially, international levels it is necessary to be able to distinguish corruption, to understand extent of her influence on the state and society. But how to understand in what country the level of corruption is excessively high and where her manifestations are extremely rare?

Most often the level of the state corruption decides on the help of the index of the perception of corruption entered by Transparency International. Made for the first time in 1995, being the unique and innovative project, the index of perception of corruption quickly drew attention of the largest media that in turn raised a public interest to a problem and even forced to compete the states in attempts to improve the indicators. The basis of the index was formed by assessment of independent experts in the international finance and experts-human rights activists in a ten-point scale (since 2012 – on hundred-mark). The assessment is higher, the corruption level is less. But this approach has several shortcomings: first, absolutely independent experts, as we know, aren’t – it influences objectivity of estimates; secondly, in connection with the growing popularity of Transparency International, the index of perception of corruption influences perception more and more. The situation described in work “Corruption and the government: causes, consequences and reforms”: “When everyone considers that all wallowed in corruption unless the Saint will refrain from bribery” (Rose-Ackerman & Palifka, 2016).

Public opinion becomes tolerant to corruption - at first at the household level, and then and to political corruption. Thirdly, it is impossible to neglect national peculiarities of perception of corruption, the same act can be considered as tradition or standard of behavior in one state and corruption crime in the second. Fourthly, using this rating, sometimes it is difficult to track dynamics of fight against corruption worldwide, the states as both leading, and lagging behind in this rating seldom change the positions in a root. It is no longer about also about any exact quantitative measurements of corruption manifestations. In 1999 TI was made the index of bribers which represents the rating of the most economically developed countries depending on prevalence of application corruption the practician in activity of the companies of these countries. Thus, citizens of any state have an opportunity to get acquainted with the countries participating in “corruption export”. On the one hand, this index can partially reflect corruption level in the state, loyalty to corruption practicians or the aspiration to struggle with them from the business of any given state; on the other hand, the international business has the specifics, data on corruption transactions abroad can distort a real picture of level of corruption in the state (Gapsalamov et al., 2021; Azazzi, 2020).

Since 2003 TI began to conduct researches under the name “Global Barometer of Corruption” which in a form represents sociological poll of citizens from the different states about their experience of collision with corruption acts. Tasks of this project is consideration of corruption on the industries; identification of the
most corrupted state departments; assessment of efficiency of actions for fight against corruption taken by the governments and so forth. His undoubted advantages is the wide empirical database of manifestations of corruption; possibility of carrying out analysis of efforts of the states on fight against corruption; a research of these phenomena in dynamics. However, data of the Barometer not always meet with the Index of perception of corruption, and questions of sociological poll change originators in attempt of achieve of the maximum objectivity in corruption level assessment from year to year.

Except the researches of corruption conducted by Transparency International, there is a set of other indicators of corruption in the state. The research “Quality of Public Administration” created in 1996 by experts of the World Bank Kauffman, Kraayem and Mastruzzi is represented very productive and important for the solution of objectives of this research (de Boer & Bast, 2015; Bahoo et al., 2020). “The quality of public administration” is the rating of efficiency of public administration consisting of six indicators: accounting of opinion of the population and accountability of public authorities, political stability and lack of violence, overall performance of the government, quality of the legislation, rule of law, corruption control. It is remarkable that in the majority of the countries with low indicators of control of corruption other indicators of quality of public administration also are at a low level. Researchers Kaufmann, Kraay and Zoydo-Lobaton conducted a series of international surveys (with the participation of the World Bank, International Country Risk Guide, etc.). Participants of polls were divided into two groups: businessmen and ordinary citizens of the country, and group of experts. Advantages of the KKZ index is the broad coverage of the countries in which surveys, and a variety of the sources used at them were conducted. One of shortcomings of this method - too wide range of questions and also their heterogeneity at various polls.

The most various indicators of corruption (indicators by which it is possible to determine corruption level in the state) are considered in article “Political institutes and corruption: role of the unitary state and territorial device and parliamentarism” (Gerring & Thacker, 2004): GDP per capita; restrictions for capital flow; negative impact on investments and so forth. Young researchers recognize that the main problem of measurement of level of corruption in the state or the region consists in a large number of indicators on which it is measured. Certainly, for increase in efficiency of the international cooperation in fight against corruption in authorities, it is necessary to establish more exact criteria of determination of level of corruption, than what we have today. It is for this purpose offered to carry out a number of the following actions:

- to analyze the causes and distribution of corruption in the concrete country, to track a historical way of this phenomenon in specific conditions;
- to define what is the maximum allowed level of corruption and whether everywhere it will be identical;
- to study the available national successful experience of fight against corruption, also to consider failures of the states on this way;
- to investigate the international documents directed to fight against corruption, to estimate their efficiency at the moment;
• to compare the 3 and 4 points to consider the possibility of application of experience of the countries most of which of all succeeded in fight against corruption and creation of the international standards which can be implemented to the countries with the high level of corruption (considering their specifics, to carry out so-called “benchmarking” of anti-corruption);
• to create the anti-corruption programs combining “carrot and stick” – from democratization of all spheres of life, economic and political freedoms, creation of an active civic stand at the population and, as a result, formation of civil society, conducting scheduled and explanatory maintenance about harm and inadmissibility of corruption before strengthening of selection of shots at a position of public service, inevitability of punishment for assistance;
• to increase quality of anti-corruption examination of normative legal acts, to introduce the system of assessment of the regulating influence of bills at the state and local levels of public administration.

Corruption measurement methods, important for this research, are given in work of “Corruption around the world” (Tanzi, 1998). The hypothesis of lack of direct methods of measurement of corruption is represented interesting. “There are no direct ways of measurement of corruption yet, but there are indirect ways of obtaining information on its prevalence in the state or public authority” (Tanzi, 1998). This information, according to the famous economist Tanzi (1998), can be found:

• In the reports on corruption available in the published sources, including newspapers. The Internet becomes more and more valuable source.
• Concerning cases of the corruption crimes investigated at such often state institutes which face corruption as tax administration, customs, police and some other.
• In researches from poll.

The international experience in the corruption counteraction

A number of the researches giving the monetary size of a bribe as corruption indicators can’t fully be considered those because corruption is shown not only in bribes (appointment of relatives to positions, etc.). Especially, not always bribes can be measured precisely in a money equivalent (leave allowance; payment of medical treatment abroad, etc.). In the work “Corruption – the world’s big c: cases, causes, consequences, cures” (Senior, 2006), are given several cases, to give definition which as “corruption crime” or “lack of structure of corruption crime” is quite difficult. The author tries to understand and explain why one of them - corruption, and another – isn’t present. But answers are here too not obvious.

Proceeding from it, it is possible to conclude that in different countries the same event can be considered differently: in one will be the act of corruption, in another – no. From here it is possible to conclude that corruption perception conditional, and his assessment by citizens is often subjective. Assessment of efficiency of providing any given public service, for example, to registration of legal entities could become interesting option of measurement of level of corruption in the
state. Time spent on expectation of providing service, its cost and also existence of options of receiving service by means of acts of corruption, their quantity and cost could enter this assessment. Certainly, it is impossible to determine corruption level in the country by one criterion, but the number of indicators at thorough development of a technique of estimation could be increased reasonably. We consider that conditional division of all states is represented to the most expedient on:

- those which fight against corruption and recognize her harm for economic, political and social development of the country.
- don’t consider corruption in authorities a serious problem.

It is possible to distinguish at what it successfully turns out to do also at what it badly turns out from the states fighting against corruption or it is impossible at all. To distinguish the “successful” states in fight against corruption from “unsuccessful” it is difficult. Key is a question here – what to consider success? The answer to him can’t be definite. Possibly, “successful” in fight against corruption it is possible to consider that state where the prevalence of personal interest over public at officials at the implementation of imperious activity is illegal, systematically struggle against him, all conditions for fight are created, concrete results of anti-corruption fight are visible.

Full eradication of corruption in the state isn’t possible. Therefore, it is about a certain abstract ideal – the state with the adjusted system of counteraction and fight against corruption which transparency is confirmed by control of the public and active international cooperation in this direction; and officials are deprived of any incentives for participation in acts of corruption. The proximity to him (that is exactly strong in this case to successful fight against corruption) can be reached when fight is conducted in a complex, in all directions. Are for this purpose necessary to fight political will against corruption in the state; the developed anti-corruption legislation, his practical application; participation in the international cooperation in fight against corruption, accession to the main international anti-corruption documents; the system of selection of public servants, presence of incentives at them is correctly constructed not to participate in corruption practitioners; development of institutes of civil society, their participation in control over activity of authorities; openness of the government, his accountability; turnover of the power, democratic election system and some other indicators (Ko & Samajdar, 2010; Holovkin et al., 2021).

Each state has the relation to fight against corruption, independently takes measures by which it is guided in this fight. In this work we suggest to consider the most effective anti-corruption international standards (programs) which loan would be useful both for the international community in general, and for Ukraine in particular. The importance for the solution of problems of our research submits also the analysis of fight against corruption in the states which didn’t make great progress in this direction yet: their experience can warn other states and all international community against the commission of already made mistakes in anti-corruption fight. Lessons of international experience of fight against corruption in the state are especially relevant for our state which is in search of effective anti-corruption policy. If to consider the Index of perception of corruption
for previous years, then twenty the least corrupted states are Denmark, New Zealand, Finland, Sweden, Norway, Singapore, Switzerland, the Netherlands, Australia, Canada, Luxembourg, Germany, Iceland, Great Britain, Barbados at the same time, practically all listed countries successfully counteract corruption and take high places in ratings for at least last decade. Certainly, all states which successfully fight against corruption, consider this problem by threat of the safety. As a rule, for counteraction to this harmful phenomenon the weighed anti-corruption policy is conducted and specialized institutes are created.

It is possible to distinguish 3 models of fight against corruption from the states which achieved success in fight against corruption. The first model is presented in the countries of Northern and Western Europe (especially, it is well traced in the Scandinavian countries). The state institutes of Norway, Sweden, Finland, Denmark are one of the best in the world, often they combine the principles of the social and constitutional state. Free competition in economy, the developed civil society, a high role of media according to corruption crimes is the cornerstone of their anti-corruption policy. The characteristic feature of the “North European” model of anti-corruption policy can be considered an active role of public authorities in redistribution of money in the state at their greatest possible transparency and accountability before society. One of the reasons for which any corruption crime lit with media gains the nature of national scandal at once undoubtedly, is the moral approach approved in the society of these states. Thanks to high level of confidence between people, any corruption offense is perceived sharply negatively as manifestation of immoral behavior. The population trusts the state, evasion of taxes in the Scandinavian countries isn’t considered acceptable; moreover, each citizen can revise the documents coming to public institutions.

For example, in Denmark there are about 20 acts which to a degree concern fight against corruption. Parliament of Denmark, public activists, members of the media closely interact and carry out joint monitoring of potential acts of corruption. In Denmark the state gives to citizens social guarantees and carries out them. Citizens trust the government and are ready to pay high taxes, knowing that the quality of public services will be by all means high. An important point is the developed corporate social responsibility of the Danish business. The reputation of the company is usually more important for her heads, than short-term success from participation in the corruption transaction. The lack of the separate act on fight against corruption doesn’t prevent Finland to counteract this destructive successfully phenomena. A number of the conditions which are consciously realized by the authorities of Finland allows to constrain corruption in the limits which aren’t posing threat to social development:

- existence of the developed institutes of civil society, including media;
- aspiration to minimization of intervention of the state in the economic sector;
- transparency and publicity of decision-making process by officials, openness and availability of the majority standard and bylaws;
- political, financial and personnel independence of a justice system of executive power, the valid guarantee of protection of the persons who rendered assistance to competent authorities in fight against corruption;
and also other measures directed to bureaucratization reduction, improvement of quality of public administration, creation of a control system for activity of officials at the worthy level of the salary of officials etc. Especially it would be desirable to note work with civil society and creation of the atmospheres of rejection of corruption in all forms society and negative attitude to her among public servants.

Other model of anti-corruption fight is presented in the countries of Southeast Asia, first of all, in Singapore, Hong Kong, Taiwan, Malaysia. Also it is possible to carry South Korea and Japan to this model. Its specifics consist in the verified personnel policy, the greatest possible leaving of the state regulation of economy, creation of special anti-corruption bodies, equality of all before the law, severe punishment for corruption crimes. Economic success of Singapore is also achieved due to effective fight against corruption and presence of political will at leaders of this state. At him the special anti-corruption body - Bureau on investigation of cases of corruption, allocated with full independence and carrying out measures against corruption and fight against her was created.

It is possible to refer to the leading anti-corruption principles of Singapore: 1) compensation of public servants according to the formula tied to the average salary of the persons which are successfully working in the private sector; 2) controlled annual reporting of the state officials on their property, assets and debts; the prosecutor has the right to check any bank, joint-stock and settlement accounts of the persons suspected of violation of the Act of prevention of corruption; 3) big severity in cases of corruption concerning the high-ranking officials for support of moral authority of incorruptible political leaders; 4) elimination of excess administrative barriers to the development of economy. Thus, it is possible to note that the anti-corruption policy is formed on creation of a control system of the state at which at officials it is practically not necessary to commit incentives corruption crimes. At the same time in Singapore the principle of public control over actions of officials and also the principle of equality before the law and inevitability of punishment for the committed crime works.

The huge value of involvement of citizens in fight against corruption is given in the Republic Korea. In 1999 in Seoul the OPEN program was created. It represents online the system of giving of citizens of claims of corruption. On any of the provided statements, the investigation has to be made. Security guarantees are provided to citizens with participation in the anti-corruption fight. Communication with officials is minimized, the course of consideration of the application by special bodies is displayed in a private office of the citizen on the Internet. Creation of the program significantly increased efficiency of fight against corruption in the Republic of Korea, increased trust of the population to administration of Seoul, made open and public activity of administration. In Japan a kernel of anti-corruption policy is well constructed personnel policy and the rigid system of regulation of activity of officials. At the high wage level, the behavior of officials is regulated by the law “National Public Service Ethics” (National Personnel Authority of Japan, 1999). The double system of stimulation (financial and moral) in the presence of tough punishments for non-compliance with laws and the established rules shows the efficiency in fight against the state corruption in Japan.
Of “the American model” of anti-corruption fight (USA, Canada, partially Australia) the combination of tough restrictive laws to the system of the incentives and encouragement preventing corruption is characteristic. The anti-corruption legislation of the USA has system character. It consists also of the legal acts regulating lobbying, bank, exchange and other types of activity. And though it isn’t a guarantee of full eradication of corruption, in the USA her level is much lower, than in other states. Fight against corruption is facilitated by the fact that in the USA actually there are no immunities for officials. Any official, including the President, congressmen and senators, can be brought to trial, though in a special order, after his discharge from a position. It is also worth noting that the United States of America try to prevent acts of corruption at the implementation of imperious activity by prevention of the corruption based on action of standards of codes of honor of public servants. In general, it would be desirable to emphasize that in all countries which are successfully conducting fight against corruption the widest range of means and methods including always close interaction with structures of the civil society leaning on the thought-over system of the right, openness and accountability of the power is used. Nevertheless, on the example of the anti-corruption strategy of the USA, the countries of Europe and East Asia it is possible to conclude that completely corruption wasn’t eradicated by any state.

**Legal measures against corruption**


Among above the called international treaties on fight against corruption it is necessary to select the UN Convention against corruption (2003), the universal international treaty uniting 172 states. The opening day of the Convention for signing – on December 9 – since 2004 is celebrated as the International day of fight against corruption. This Convention defines criminalization of corruption acts, provides measures for prevention of corruption in the public and private sector, on establishing the international cooperation in this sphere and to asset recovery and also technical assistance, exchange of information, the mechanism of implementation of the Convention and control of her performance. Ukraine
ratified the UN Convention of against corruption by the Law of Ukraine No. 251-V (Verkhovna Rada of Ukraine, 2006). Difficult for many states, as well as for Ukraine, is a question of implementation of Article 20 of the UN Convention against corruption (United Nations, 2003) about illegal enrichment. This article wasn’t included into the list of on what Ukraine possesses jurisdiction and which are obligatory for execution. According to this article “on condition of observance of the constitution and the fundamental principles of the legal system each State Party considers the possibility of acceptance of such legislative and other measures which can be necessary for recognition crime deliberate illegal enrichment, that is significant increase in assets of the state official which exceeds his lawful income and which it can’t rationally prove” (United Nations, 2003).

The specified situation can conflict to the constitutional principle of a presumption of innocence and the right of defendants not to testify against itself and also the husband (wife) and other close relatives. Nevertheless, Ukraine seeks to improve the legislation in this sphere. Various options of improvement of forms of declaring not only the income but also expenses of officials are studied. So, the Resolution of the Cabinet of Ministers of Ukraine (2006) No. 1673 “On a state of the financial and budgetary discipline, measures to strengthen the fight against corruption and control over the use of the state property and financial resources” lays the legal foundations of control of shortcomings and violations of the financial and budgetary discipline and also the mechanism of prosecution of persons who are found guilty of their assumption.

The duty of declaring of expenses is established in many countries. The need of such declaring is fixed at the legislative and subordinate levels by acts of parliament, public service, taxes, financial control, codes of behavior for various categories of officials, the legislation on fight against corruption. Similar acts work in the USA, Great Britain, Belgium, Italy, Finland, Canada, Australia, China and other states. Ukraine also joined the Convention on fight against bribery of officials of the foreign states in case of carrying out the international business operations of the Organization for Economic Cooperation and Development (1997). This Convention was ratified by the Law of Ukraine No. 998-154 (Verkhovna Rada of Ukraine, 1997). Ukraine is a participant of the Criminal Convention of the Council of Europe on the fight against corruption (1999), ratified in 2006 by Law of Ukraine No. 252-V (Verkhovna Rada of Ukraine, 1999). Ukraine also takes part in the Civil Convention of the Council of Europe on fight against corruption (1999). The Convention is directed to protection of persons who suffered losses owing to acts of corruption, including a possibility of indemnification. Besides, this Convention is, perhaps, the only international document which defines corruption. Article 2 of the Convention (1999) states: “Corruption means direct or indirect extortion, offers, giving or taking of a bribe or any other illegal benefit or a possibility of her receiving which break appropriate performance of any duty by the person getting bribes, illegal benefit or an opportunity to have such benefit, or behavior of such person”. Ratification by Ukraine of the Civil Convention of the Council of Europe on fight against corruption of 1999, certainly, promotes strengthening of anti-corruption standards (Verkhovna Rada of Ukraine, 2005).
Implementation of rules of international law in the sphere of fight against corruption is an important component of formation of a global anti-corruption order and also a necessary condition of effective fight against corruption at the national level. The analysis shows that practically of all states fragmentation of the implemented provisions of the international acts, their selective character is inherent in the legislation that considerably reduces success of the right of realization (Khabrieva, 2012). Summing up the result above of stated, it should be noted that in recent years a lot of things are made for strengthening of the anti-corruption legislation in Ukraine and its compliance to the international standards on fight against corruption. Now in the existing political situation knowledge and studying the international standards of fight against corruption becomes more and more relevant both for ordinary citizens, and for law enforcement officials.

Conclusion

So, in a scientific article, international anti-corruption standards were investigated, and based on this study in conclusion we have the opportunity to develop some practical recommendations to improve the quality of anti-corruption struggle for Ukraine:

- In the interaction of the scientific community, state structures, business and representatives of civil society, it seems advisable to create an expert group dealing with the identification of corruption practices, their measurement and classification. This event would allow not only to fight corruption more effectively at the state level, but also to demonstrate Ukraine's active position in the world anti-corruption fight and the spread of the global anti-corruption standard of behavior.
- The initiative to create an international body under the UN that would specialize in combating and combating corruption is useful. Launching such an initiative for Ukraine would provide an opportunity to strengthen international positions in the global anti-corruption movement, which in turn would positively affect the improvement of Ukraine's international authority and increase competitiveness on the world stage.

References


