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UDC 328

Myroslava Huryk

*Associate professor of department of philosophy and political science
Ternopil national economic university*

Dayton Essel

*Student of B.Havrylyshyn Education and
Research Institute of International Economic Relations*

CORRUPTION AS A MANIPULATION OF POLITICAL ACTIVITY (COMPARATIVE ANALYSIS OF UKRAINE AND GHANA)

Generally speaking, corruption can be defined as «the abuse of entrusted power for private gain». Corruption can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs.

Grand corruption consists of acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good. Petty corruption' where individuals or small businesses have to pay small bribes for securing public services or for passing examination by inspectors in relation to various regulations; versus 'grand corruption' where top-level officials or politicians are involved in large financial transactions or significant policy decisions, including the role of oligarchs, in what is known as 'state capture [1]. Political corruption is a manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth.

A combination of rampant corruption, market volatility and political instability in Ukraine represents major business risks for foreign investors. Bribery and facilitation payments are widespread among Ukrainian public officials, severely complicating business registration and trade procedures for international companies. Public procurement also suffers from pervasive corruption, burdensome regulations and favoritism, severely impeding fair competition. Corruption, extortion, bribery of foreign public officials, abuse of office and facilitation payments are criminalized under the Criminal Code, and official corruption - including conflicts of interest, asset disclosure and gifts and hospitality - is also covered under Ukraine's legislative framework. Ukraine's anti-corruption laws encompass corrupt misconduct in both the private and the public sectors. The Law «On Prevention of Corruption» introduces measures for monitoring the effective implementation of anti-corruption provisions. However, a weak judicial system limits the enforcement of Ukraine's anti-corruption laws. The Corruption Perceptions Index (CPI) scores countries on how corrupt their governments are believed to be. It is published by Transparency International, an organization that seeks to stop bribery and other forms of public corruption. A country's score can range from zero to 100, with zero indicating high levels of corruption and 100 indicating low levels. Transparency International launched the index in 1995, and today it scores 180 countries and territories of which Ukraine is part [2].

Foreign companies expanding to Ukraine should beware of the high risks of corruption within the country's public services. Corruption is the most problematic factor for doing business in Ukraine, and dealing with government administrative requirements is burdensome (GCR 2016-2017). Nearly nine out of ten businesses indicate they face corruption when doing business in Ukraine (UACC 2015). According to CPI, Ukraine was ranking the 130th country with a score of 30 representing a very high corrupted country as at 2017 [2].

There is a high risk of corruption in Ukraine's natural resource sector. The country's natural resources are exploited by the elite for political largesse and filling their party war chests (FT, Oct. 2016). Extraction and transportation of Ukrainian natural gas and oil are monopolized and controlled by the state-owned company Naftogaz (ICS 2017). Naftogaz has largely been cleaned up from corruption (The Economist, May 2017). Ukraine does not fully comply with EITI transparency standards yet and its legislation on transparency standards for the extractive industries is lacking (OECD 2015). The former head of Ukraine's parliamentary energy committee, Mykola Martynenko, has been detained over charges that he embezzled USD 17,3 million by selling uranium concentrate at inflated prices (OCCRP, Apr. 2017). Undeniably, such huge amount of money could have improved the well fare of the citizens in the country. The police, public procurement, taxation and the judiciary system are also very corrupted in Ukraine. Grand corruption is not effectively addressed with prosecutions of high level officials, hence exemplary convictions are non-existent. There also have been some worrying signs going in the direction of curtailing new anticorruption bodies, where some of them show disturbing vulnerability to political influence. Overall there is a huge doubt over the real political will to tackle corruption, not only with words, but also in practice [3].

Corruption in Ghana has been common since independence. In a 1975 book, Victor T. Le Vine wrote that bribery, theft and embezzlement arose from reversion to a traditional winner-takes-all attitude in which power and family relationships prevailed over the rule of law [2]. Unlike Ukraine, Ghana falls three places in

Corruption Perception Index; scores lowest since 2012. The latest Corruption Perception Index (CPI) released Wednesday evening by the local chapter of Transparency International, the Ghana Integrity Initiative (GII), scored Ghana 40 out of a possible clean score of 100 and ranked the country 81 out of 180 countries assessed. The index shows that Ghana's performance has dropped by three points from its 2016 score of 43, and 7 points cumulatively from the 2015 score of 47. The 2017 CPI score indicates that, in spite of Ghana's numerous efforts at fighting corruption, the canker is still a serious problem. Ghana's score of 40 points is a likely reflection of the inadequate investigations, prosecutions and sanctioning of corruption during the period the data sources covered [6]. Nonetheless, corruption levels in Ghana remain low compared to other African countries. Low-level government employees are known to ask for a 'dash' (tip) in return for facilitating license and permit applications. Ghanaian anti-corruption law is primarily contained in the Criminal Code, which criminalizes active and passive bribery, extortion, willful exploitation of public office, use of public office for private gain and bribery of foreign public officials [6]. The Public Procurement Act, the Financial Administration Act and the Internal Audit Agency Act have been introduced to promote public sector accountability and to combat corruption. The government has a strong anti-corruption legal framework in place but faces challenges of enforcement. Gifts and other gratuities offered to civil servants in the aim of influencing their duties are illegal; nonetheless, facilitation payments are not defined in law. Furthermore, the only difference between corruption in Ukraine and Ghana is the 10 score by CPI in 2017.

Apart from this, Ukraine and Ghana faces the same corruption problem. Governments of two states should demonstrate more practical commitment to fighting corruption and must do more to encourage an open and engaged civil society. On other hand, civil society should continue to hold political and institutional leadership accountable and citizens should report corruption when they become victims and witnesses. Ghana and Ukraine must prioritise the mainstreaming of anti-corruption measures in order to achieve the target of substantially reducing bribery and corruption.

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