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ADMINISTRATIVE PRINCIPLES OF CORRUPTION PREVENTION IN UKRAINE

Considering the issue of determining the system of measures to prevent corruption in Ukraine and its administrative and legal nature, we agree that the administrative and legal nature of mechanism for the prevention of corruption is an integral part of the mechanism of administrative and legal regulation, and therefore falls under the influence of administrative and legal legislation, as one of the main means of influencing social relations. The prevention of corruption is a set of interconnected and complementary measures defined by the norms of administrative legislation, which have the same goal, aimed at preventing and reducing the level of corruption in the state. In this definition, we are not talking about the final elimination of corruption, since it is impossible to completely overcome this negative phenomenon. Even taking into account the experience of foreign countries that occupy leading positions in anti-corruption ratings, they can not speak about the absence of corruption in these states, but only about the decrease of its level. Returning to the content of the activities, please indicate that

preventing corruption should be included in the system of preventive measures. The following measures that can withstand the commission of corruption offences include: promotion of its basic civil institutions and public participation in measures to prevent corruption; raising the level of anti-corruption consciousness of citizens, promoting high moral values among citizens, sustaining public intolerance to corruption behavior and public condemnation of those who committed acts of corruption.

In relation to the system of administrative and legal measures for the prevention of corruption, the administrative-procedural principles serve as the basis, which should ensure:

1. Recruitment, taking into account the ability to objectively, impartially perform official duties in the field of anti-corruption activities;
2. Rational and effective anti-corruption policy; determining the directions of combatting corruption;
3. Procedures and main requirements, which should correspond to the process of implementation of anti-corruption policy. One of the most important elements of administrative and procedural principles of preventing corruption are the principles of preventing corruption.

The main principles that can ensure effective implementation of anti-corruption activities of authorized agents are: the principle of legality, openness, transparency professionalism and competence, public participation in the implementation of measures aimed at prevention and counteraction of corruption and inevitability of liability for committing corruption offenses.

The principle of legality is realized in the strict observance by all authorized bodies and their officials of the provisions of laws and bylaws, which consequently guarantees the exercise of citizens' rights and freedoms. The content of the principle of law is manifested in its components, such as the rule of law, unity, expediency and reality. The principle of legality in activities aimed at preventing corruption, in its turn, implies the steady, precise and uniform implementation of anti-corruption laws by everybody without exception by the subjects of authority; the compliance of anti-corruption activity with the state will, enshrined in the laws; making decisions in the field of prevention of corruption within the limits of competence, in the manner prescribed by law; effective control over the

observance and enforcement of laws regulating activities in the field of corruption prevention.

The principles of openness and transparency are fundamental principles of effective administration, which are important principles for establishing interrelations between citizens and the state. The specific feature of the principles of openness and transparency lie in the fact that they are at the same time the principles of organization and operation of state authorities and local self-government bodies; principles of interaction of authorized bodies between themselves and the public, as well as the manifestation of democracy of personal legal status of each citizen.

Principles of professionalism and competence are main starting points in the organization and functioning of the public service, since they determine the person's belonging to a certain level of knowledge sufficient to perform their official duties and the level of the intended purpose. Investigating the issue of personnel provision of public administration in Ukraine, T.E. Kaganovska considers professionalism as the ability of public servants to carry out the tasks and functions of the state most effectively and rationally in their practical activities. Compliance with the principles of professionalism and competence in the activities of public servants is a necessary legal condition, without which a person is not entitled to exercise official authority. The most important means of ensuring professionalism is the established system of recruitment. Therefore, the ability of the state to function and ensure the rights, freedoms and legitimate interests of each person depends on how qualitative and capable of self-improvement will personnel of the public service in Ukraine be.

The principle of public participation in the implementation of corruption preventive measures suggests that corruption can be effectively protected by various legal measures, but none of them will succeed if there is no public support in the process of their implementation. According to T.E. Kaganovsky, the nature of relations with the society, including partners and citizens, is extremely important in the work of state authorities. If the population is not attentive to state authorities, the interaction between them through direct and feedback will be ineffective or completely ineffective.

The principle of inevitability of liability for committing corruption offences and offences involving corruption involves the obligation to bring any (regardless of official position) an official who has committed a

corruption offense to liability and establish a punishment for an unlawful act committed. A person's awareness of the inevitability of punishment for unlawful acts is an important educational and preventive factor. The principle of inevitability of liability is a kind of engine for the implementation of measures of forced influence, the implementation of which contributes to the achievement of objectives of legal responsibility.

Finally, the proper observance and application of the listed principles of lawmaking in the field of prevention of corruption should provide conditions for: the content of anti-corruption norms will be promptly responded to changes in the dynamics of corruption; when introducing amendments to current legislation or adoption of regulatory acts, the peculiarities of anti-corruption activities that are in need of legal determination will be fully taken into account; the only procedure for the development, adoption and implementation of legal acts will be observed; the process of law-making activity will involve representatives of the public; will take into account scientific ideas and proposals for improving the order of implementation of certain measures to prevent corruption; and most importantly, the law-making activity will involve specialists who are fully capable of providing a comprehensive, objectively necessary, effective regulatory regulatory framework for public relations in the area of prevention of corruption in Ukraine.

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