4

INTERNATIONAL LEGAL INSTRUMENTS IN ELIMINATING CORRUPTION THREATS TO NATIONAL SECURITY

The inertia of the society movement is limited by the potential of its existing legal rules and the duration of the productive working life of its members. The time limitations of both factors determine the inevitable logic of actions, namely: the renewal of legal rules and the succession of labor productivity for each generation. People make their own history, but they don't make it the way they want, under circumstances that they didn't choose themselves, but that are directly given to them and transferred from the past (Der achtzehnte Brumaire des Louis Bonaparte) (Marx 1972, p. 115). To an even greater extent, the threat to the development of the nation arises when defects dominate the nature of people who are given a mandate of trust to identify all significant changes in the nature of law, timely and complete reflection of these changes in legislative. No less responsibility for the future of the nation rests on the public administration, courts, and law enforcement agencies, which indirectly received the same mandate of trust from all other members of the nation through the parliament. The only meaning of all these branches of state power existence is to ensure the interests of the social community united by common tasks, foundations and methods for their solution. Municipal authorities are also called to pursue the satisfaction of the public interest, which is the essence of national interests as part of the comprehensive concept of "national security". Delays in the specified legislative changes, their incompleteness, as well as the distortion of meanings during law enforcement inevitably lead to critical consequences for the nation – its disappearance, quantitative and/or qualitative reduction, etc. Legal nominations for such consequences are corruption, unfair (low or high) wages, war and similar threats to national security.

After the occurrence of transformation historical moments of these crises into real threats to national security, the deployment

of their destructive power is no longer controlled by the nation that determined these crises. In this regard, it reflects the nature of its particles, in particular, financial, labor, mental, physiological or other incapacity of a person can be overcome only with support from the outside. The same applies to families, households, labor groups, territorial communities, regional social communities. Of course, any crisis of legal awareness can be strengthened and/or weakened by external actors. Mit Kleinen tut man kleine Taten, Mit Großen wird der Kleine groß (Goethe 1948, p. 239). For example, subjects of external coercion of the Ukrainian nation to dispose of nuclear weapons and other strategic weapons did not eliminate the military threat to this nation. Their responsibility for such coercion, instead of guarantees of the constitutional values security, is exhausted by the support of only that part of these legal values that remained after murders, maimings, rapes and other crimes committed by an external military aggressor. In fact, the real threat to the national security of Ukraine as of 2013–2014 was a combination of factors, namely: 1) corruption and irresponsibility, combined with a number of other types of crimes, of the public authorities that made and implemented decisions on the disposal of weapons, as well as those who received income from it to satisfy a private interest; 2) the irresponsibility of those subjects who insisted on depriving the Ukrainian nation of weapons that were needed to prevent external military aggression, as well as the subsequent carelessness, negligence and/or inactivity of these subjects regarding the proper performance of their duties to protect Ukraine. The perversion of the subjects legal consciousness after the start of military aggression against Ukraine is expressed in the following: a) representatives of public authorities and businesses within the country responsible for disarmament proved unable to protect it and shifted the burden of protecting the country to those who have nothing to do with this disarmament; b) external entities that forced Ukraine to disarm turned their duty from protecting Ukrainians into their right. They began to worry that they were not just asked for help, but that these requests were numerous and lasting; provided assistance when and to the extent that they wish, contrary to the requirements of the consequences of their actions

to weaken the military sector of the national security of Ukraine, contrary to the critical conditions of the lack of weapons to protect against the military aggression of the russian federation, as well its overt and latent accomplices in war crimes.

4.1. Anti-corruption requirements of the international community as a mean for eliminating corruption threats to national security

Eliminating corruption in project management has been the concern of most public and private sectors in the world because of the substantial amounts of money expended in the provision of infrastructure projects. Anti-corruption framework consists of six distinct constructs, namely: regulatory measures, managerial measures, probing measures, compliance measures, promotional measures, and reactive measures. Each construct has its composing variables (Owusu 2019, p. 52). Corruption may be defined as "an illegal activity (bribery, fraud, financial crime, abuse, falsification, favoritism, nepotism, manipulation, etc.) conducted through misuse of authority or power by public (government) or private (firms), officeholders for private gain and benefit, financial or otherwise". Corruption stands in the way of social development and economic growth. It lessens trust in institutions, increases inequality and fosters undemocratic, populist perspectives. The challenges raised by corruption are not limited to less developed countries with weak institutional settings. They are also of concern in several relatively developed countries (Cerdeira 2022, p. 1).

Nations do not exist in ideal conditions, modeled on the laboratory conditions of physical science, where at the same temperature and pressure, equal volumes of ideal gases contain the same number of molecules. Accordingly, they require a number of qualitatively specified structural units of the anti-corruption infrastructure – norms, subjects of the norm's implementation and control both in terms of adequacy to current challenges of these norms content and their proper practical implementation, which

is characteristic of their nature. In addition to general morality, appeals to rational, competitive free markets, and leveling the playing field for global business, by 1998 the discourse expanded to include two additional norms – development economics and respect for local (foreign) law (Spahn 2013, p. 6).

International legal acts on anti-corruption issues always reflect a very general framework for the manifestation of good virtues in public positions within national legal frameworks. For instance, states that corruption relates to any abuse of power or impropriety in the decision-making process brought about by some undue inducement or benefit. This general notion of corruption may be considered in the context of a number of parameters, namely: 1) different forms of misconduct; 2) the bribe (active and passive corruption); 3) corruption is also in the private sector; 4) corruption can be international; 5) certain policy areas may be viewed as particularly vulnerable to corruption (EU Communication, 1997, paragraph 4). "Corruption" means requesting, offering, giving or accepting, directly or indirectly, a bribe or any other undue advantage or prospect thereof, which distorts the proper performance of any duty or behaviour required of the recipient of the bribe, the undue advantage or the prospect thereof (CE Civil Law Convention, 1999). Criminal behaviour no longer is the domain of individuals only, but also of organizations that pervade the various structures of civil society, and indeed society as a whole. Fraud and corruption take on massive proportions, defrauding citizens and civic institutions alike (EU Action plan to combat organized crime, 1997). As well the provisions of other documents (Table 4.1).

The whole set of the above-mentioned international anti-corruption acts allows Ukraine to saturate its relevant specialized legislation with ready-made rules. Within the European space, such saturation will become a condition for the unification of managerial and economic, law-making and law-enforcing practices. The anti-corruption standards of any country of the Western tradition of law allow Ukraine to count on their support for the return of assets that were acquired in Ukraine through corruption or other illegal means, but then transferred to the jurisdiction of these countries.

Table. 4.1. Special norms of international public law on anti-corruption

Anti-corruption law of a global scale	
Action against corruption is a resolution A/RES/51/59, adopted by the UN General Assembly on 28 January 1997 (UN, 1997). United Nations Convention against Corruption of October 31, 2003 (UN, 2003).	
Pan-European level of legal anti-corruption requirements	
Anti-corruption regulation of the **Council of Europe**	Anti-corruption regulation of the **European Union**
The Criminal Law Convention on Corruption of January 27, 1999 is an ambitious instrument aiming at the co-ordinated criminalisation of a large number of corrupt practices. It also provides for complementary criminal law measures and for improved international co-operation in the prosecution of corruption offences (CE Criminal Law Convention, 1999). Civil Law Convention on Corruption of November 04, 1999 (CE Civil Law Convention, 1999). Additional Protocol to the Criminal Law Convention on Corruption of May 15, 2003 which allowed the broader implementation of the 1996 Programme of Action against Corruption (CE, 2003).	Convention against corruption involving public officials of June 25, 1997. This was drawn up on the basis of Article K.3 (2) (c) of the Treaty on European Union on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union (EU Convention, 1997). Communication from the Commission to the Council and the European Parliament "On a union policy against corruption" of May 21, 1997 (EU Communication, 1997). Directive 2013/34/EU of 26 June 2013 "On the annual financial statements, consolidated financial statements and related reports of certain types of undertakings" (EU Directive, 2013).
Anti-corruption legal acts of non-European associations of nations	
Inter-American convention against corruption (OAS 1996). ECOWAS Protocol on the Fight against Corruption (ECOWAS 2001). Arab Convention against Corruption (League of Arab States 2010).	
Statutes and other anti-corruption legal acts of international organizations, especially those whose activities are fully or partially aimed at combating corruption	
Anti-bribery management systems 37001 of International Organization for Standardization is the international anticorruption standard (ISO 37001, 2016). Agreement Establishing the Group of States Against Corruption (Council of Europe 1999).	

Continuation of Table 4.1

International acts of law on combating predicate and/or related corruption crimes, in particular, money laundering, official crimes, terrorism and war crimes, arms trade, illegal actions against people (the so-called "human trafficking"), drug trade; organized crime
Action plan to combat organized crime, adopted by the Council on 28 April 1997, # 97/C 251/01. EU (EU, 1997). Convention against Transnational Organized Crime, adopted by the UN 15 November 2000 (UN 2000). International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation (FATF 2012).
National anti-corruption acts that apply to foreign corrupt officials and/or have extraterritorial reach
Case of the Portuguese Republic: Decree-Law 98/2015 was published on 2 June 2015, which updated the accounting standardization system, with major changes to Decree-Law 158/2009, namely, transposing into Portuguese law Directive 2013/34/EU of 26 June 2013 (Decreto-Lei n.º 98/2015); Commercial Companies Code of 01 November 1986; etc. For instance: large companies that are entities of public interest, which at the closing date of their balance sheet exceed an average number of 500 employees during the annual financial year, must include a non-financial statement in their management report, in accordance with the terms of this article. The non-financial statement referred to in the previous paragraph must contain sufficient information to understand the evolution, performance, position and impact of its activities, relating, at a minimum, to environmental, social and worker-related issues , equality between women and men, non-discrimination, respect for human rights, combating corruption and attempts at bribery (Decreto-Lei n.º 262/86, parts 1 and 2 of article 66-B). Corruption may have a positive impact on firm performance in less robust institutional environments. The effect of corruption on innovation is significantly different for foreign and domestic firms. While corruption boosts innovation for domestic firms, it does not have any statistically significant effect when we consider foreign firms. Corruption offers the firms that are compelled to corrupt, a leg-up in overcoming bureaucratic or regulatory obstacles, and the firms that reject corrupt might find in innovation a strategy for overcoming the disadvantages brought about by corrupt activities. This said, firm performance is but one dimension of the overall societal impact of corruption. Given that corruption has different impacts on the performance of foreign and domestic firms, foreign direct investment (FDI) may be a way to reduce the impact of corruption. As such, policies that boost FDI-e.g., easing access to credit, promoting economic stability or strengthening the quality of institutions-may contribute to mitigate the impact of corruption (Cerdeira 2022, p. 8–9).

Continuation of Table 4.1

Case of the USA: the US Foreign Corrupt Practices Act of 1977 (“FCPA”)’ is the very successful globalization of values embodied in this statute. When the FCPA was first enacted, the USA stood alone in criminalizing bribes paid to foreign officials to obtain business abroad. The anti-corruption norm is deeply embedded in American culture from the time of colonization by the British Empire (Spahn 2013, p. 1, 2; USA 1977). Other thematic legal acts are the Foreign Extortion Prevention Act of 2023 (USA 2023); Securities Act of 1933, Securities Exchange Act of 1934, Trust Indenture Act of 1939, Investment Company Act of 1940, Investment Advisers Act of 1940, Sarbanes-Oxley Act of 2002, Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, Jumpstart Our Business Startups Act of 2012, etc. (US SEC 1934-2024; Makarenkov 2016, p. 115–116). For instance: As alleged, through thirteen charges, Zhao and Binance Holdings Limited, Binance Holdings (IE) Limited, and Binance (Services) Holdings Limited (together, Binance), the entity that operates the world’s largest cryptocurrency exchange, Binance.com, engaged in an extensive web of deception, conflicts of interest, lack of disclosure, and calculated evasion of the law. Zhao and Binance misled investors about their risk controls and corrupted trading volumes while actively concealing who was operating the platform, the manipulative trading of its affiliated market maker, and even where and with whom investor funds and crypto assets were custodied. They attempted to evade U. S. securities laws by announcing sham controls that they disregarded behind the scenes so that they could keep high-value U. S. customers on their platforms. The public should beware of investing any of their hard-earned assets with or on these unlawful platforms (US SEC 2023). Binance pleaded guilty and has agreed to pay over $4 billion to resolve the Justice Department’s investigation into violations related to the Bank Secrecy Act, failure to register as a money transmitting business, and the International Emergency Economic Powers Act. The U. S. District Court for the Northern District of Illinois has approved the previously announced settlement and entered a consent order of permanent injunction, civil monetary penalty, and equitable relief against Changpeng Zhao and his companies (U. S. Department of Justice 2023; CFTC 2023).
Case of the United Kingdom of Great Britain and Northern Ireland: Bribery Act on 8th April 2010 (UK 2010).
Case of Ukraine: Civil Code of Ukraine, dated 16.01.2003 No. 435-IV, in particular, articles 202–214 of paragraph 1. “General provisions on transactions” and articles 215–236 of paragraph 2 “Legal consequences of non-compliance by the parties with the execution of the transaction with the requirements of the law” (Code of Ukraine 2003). For instance: On August 6, 2003, the Cabinet of Ministers of Ukraine issued an order on the privatization of the state mining and metallurgical plant “Kryvorizhstal” (hereinafter – the enterprise “Kryvorizhstal”). At that time, the enterprise “Kryvorizhstal” was one of the largest enterprises in the world – producers of steel, which employed about 60,000 people and which produced

Continuation of Table 4.1

approximately 20% of the total annual volume of steel smelting in Ukraine. On May 12, 2004, the State Property Fund of Ukraine (hereinafter – the Fund) announced a tender for the sale of 93.02% of the share capital of the enterprise “Kryvorizhstal”. On June 14, 2004, the Industrial and Financial Consortium “Investment and Metallurgical Union” (hereinafter – the low-price buyer) was declared the winner of the competition. On the same day, the winner concluded a purchase and sale agreement with the Fund and paid 4,260,000,000 Ukrainian hryvnias (hereinafter – hryvnias) for the relevant shares, which at that time amounted to about 608,000,000 euros. According to various mass media reports, from January to April 2005, the President of Ukraine Yushchenko and the Prime Minister of Ukraine Tymoshenko publicly declared the illegality of the privatization of the enterprise “Kryvorizhstal” and that the enterprise would be returned to the state, and then resold. In particular, in an interview dated January 26, 2005, the Prime Minister of Ukraine Tymoshenko noted that: "... Ukrainian enterprises, such as the enterprise “Kryvorizhstal”, which were clearly stolen, must be returned to the state." On February 4, 2005, the President of Ukraine Yushchenko, addressing the Verkhovna Rada of Ukraine, made the following statement: “...I promise that fair privatization will be carried out this year. Those objects that were stolen will be returned to the state, starting with “Kryvorizhstal” ...”. On February 12, 2005, the Cabinet of Ministers of Ukraine canceled its order of August 6, 2003, which initiated the privatization of the enterprise “Kryvorizhstal”. On February 15, 2005, the Fund also revoked its privatization orders. On June 8, 2005, the state restored control over the enterprise “Kryvorizhstal” according to the decisions of the commercial court, which recognized its privatization as illegal. By resolution of June 11, 2005, the Cabinet of Ministers of Ukraine recognized the contract of June 14, 2004 as invalid and seized the shares of the company “Kryvorizhstal” from the applicant company. The money paid for the company’s shares in 2004 was returned to the applicant company. By two decrees dated June 23, 2005, the Cabinet of Ministers of Ukraine initiated procedures for the resale of 93.02% of the share capital of the enterprise “Kryvorizhstal”. On August 9, 2005, he approved the terms of the competition. The next day, the competition was officially announced. The buyer at a low price did not participate in the competition. On October 24, 2005, the competition ended with an auction, which was broadcast live on the main television channels. Mittal Steel Germany GmbH was declared the winner. On October 28, 2005, she concluded a purchase and sale agreement with the Fund and became the new owner of 93.02% of the share capital of the enterprise “Kryvorizhstal” at a price of UAH 24,200,000,000, which at that time was approximately EUR 3,964,021,752. Subsequently, ArcelorMittal Duisburg GmbH became the legal successor of Mittal Steel Germany GmbH, which, according to the documents provided by it, made significant investments in Kryvorizhstal (ESHR 2018).

End of Table 4.1

Acts on countering corruption, integrity and/or business ethics of transnational corporations and other subjects of international law
Galp Energia, SGPS, S. A. is an integrated energy Portuguese multinational energy corporation, present throughout the entire oil and natural gas value chain, and in the marketing of electricity; participates in the two largest discoveries of oil and natural gas of the last decades in Brazil and Mozambique (headquartered in Lisbon since 1846). This company is aware of its corporate responsibility, and it is a priority for its management to consolidate the assumed values and principles of loyalty, transparency and integrity. They work continuously to achieve business efficiency, respecting the principles of fair competition, acting in accordance with the external controls (laws and regulations), and the internal controls, preventing corruption and ensuring transparency of our business. In the effort to prevent corruption, Galp prohibits all corrupt practices in all its active and passive forms, including any attempts to practice it. For this purpose, Galp has approved the Corruption Prevention Policy, making commitment to promote the full respect for the Ethics and Conduct Code and laws, and to pursue the best practices in transparency in line with the United Nations Convention against Corruption from 2003 (Principle 10 of UN Global Compact) and according to the internal Code of Ethics and Conduct, Corruption Prevention Policy, Prevention of Money Laundering and Financing of Terrorism Policy, Standard for Related Party's Transactions of Galp Group, Tax Policy, Standard on Management of Conflicts of Interest, Plan on the prevention of risks of corruption and correlated infractions (Galp 1846–2024).

The expenditure of domestic resources for the implementation of investment projects in the regions of Africa, Asia and/or countries of the Islamic law tradition requires mandatory consideration of the implementation state of virtuous practices characteristic of them, in accordance with their national law's requirements. For instance, from 1990 to 1996, the unacceptable rate of investment failure, especially in Africa, and increasing pressure from donors for governance reform contributed to enhance focus on corruption problems among foreign officials (Spahn 2013, p. 7). The variety of approaches in anti-corruption policy is not currently based on a single transnational legal act, which would reflect the legal traditions common to the countries of the Asian region. It can be expected that the Asian Development Bank will be the initiator of the creation of a joint anti-corruption act for Asian countries.

A significant divergent feature of the legal regulation of integrity issues by the international community, as opposed to an specific nation, is the dynamics of changes in relations in this community, which, accordingly, is filled with the pace of transformations of all nations that are part of a community, in particular the EU, the Council of Europe, etc. Given that, the evaluation system of virtuous intentions and the content of legal subject's actions from each country require unification according to legal standards which are common for the legal system of their transnational community. However, such unity has not been achieved even at the level of interpretations of the basic concepts scope in the field of fundamental human rights, in particular, the absence of restrictions on women's rights in certain jurisdictions of countries with an Islamic legal tradition, corruptly distorted remuneration of qualified workers, etc.

It is expedient for the international community to detail in international public law the following requirements: 1) the use of digital technologies in the areas of goods (services, works) procurement with public funds; 2) annual declaration of income by state authorities officials; 3) control, verification of the information authenticity in the declarations of these persons; 4) procedures for establishing the facts of illegal enrichment, as well as monitoring the way of subjects of declaration life and their sources of income; 5) annual determination of the integrity indicator of a state body official; 6) unification of criteria for corrupt actions qualification both at the stage of pre-trial investigation of the case and at the stage of administration of justice; 7) substantiating the expenditure of public funds during the development and implementation of state authorities long-term decisions; 8) criteria for the integrity of the behavior of entrepreneurs, public authorities and other participants in international economic relations; 9) rules for processing of relevant accounting and banking information, in particular within compliance procedures; 10) compliance with norms-principles and fulfillment of norms-goals for combating money laundering obtained through corruption, related to it and other criminal means.

The stated requirements of international anti-corruption law make it possible for nations with weak positions in the field of anti-corruption policy to eliminate the integrity crisis for national security and ensure the openness of the political-legal system to successfully satisfy public interests. For instance, according to USA anticorruption law, the local law provision embodies a crucial norm about respect for foreign sovereigns. If the payment, gift, or hospitality was "lawful under the written laws" of the receiving official's state, it does not constitute a criminal bribe under the USA anticorruption law. The USA anticorruption law provision establishes normative diversity regarding which transactions are classified as illegal "bribes" and which are classified as permissible "gifts." Rather than imposing a one-size-fits-all US definition of "bribe" versus "gift," the USA anticorruption law places the power to define an acceptable gift in the hands of the local (foreign) legal system (Spahn 2013, p. 8). Resource of international law is useful in the spheres of political activity and public administration, where there are challenges for the so-called soft corruption. This is found in the exploitation of such political and governmental activities as campaign finance, lobbying, patronage, and the electoral process, as well as potential conflicts of interest where a public official act on government matters that provide personal rewards. Engaging in these processes is not, per se, engaging in soft corruption. They are necessary functions of government that can be performed honestly, fairly, and with integrity. Money has to be raised for political campaigns and can be done honorably; lobbying to represent and express the concerns of interest groups is a normal and desirable phenomenon in our system of self-government; patronage can involve filling government jobs with individuals who are fully qualified; the electoral process can be used to select competent candidates for public office in an open, fair, and transparent manner; and a lawmaker can decline to participate when confronted with a matter that may affect his or her private interest (Schluter 2017, p. 4).

4.2. The UN, the EU and other subjects of international law in the system of eliminating corruption threats to national security

The nature of international anti-corruption requirements is expressed not only in the geographical spread of action on the territory of all nations whose states have implemented them into the national legal space. This territorial transnationality requires coercive power from outside the country, which reduces the sovereignty of the public authority of that country. The connection between both factors is causal: the formal recognition of the anti-corruption norm becomes its actual embodiment in legal reality as a result of the specified external coercive force. Internal coercion for this is not possible, because it is corrupt – it is aimed at the exact opposite result in the form of ignoring the rules of integrity and leniency to corrupt distortions. The empirical model of the long-term relationship between corruption and economic growth in 109 countries from 2010 to 2018 allowed to reveal the strong negative relationship between corruption and economic growth. An increase in corruption by one unit reduces GDP by 1.3%. The indirect impact of corruption through the human capital channel was 39.52%, investment 9.44%, innovation 19.88%, and direct effect 31.16%. The findings imply that it is easier to strengthen innovation at the level of political action than to directly fight corruption (a more complex and challenging process, as it is also linked to an economy's social structure and culture) (Dokas 2023, p. 1047–1049).

The organizational-legal direction of using the resources of international public law to overcome the high level of corruption in Ukraine can be seen through the unity and/or completeness of practices for implementation, interpretation and application recognized by the world community of the integrity legal standard, in particular as a result of the following international organizations work.

The United Nations Office on Drugs and Crime (UNODC) was established in 1997 as a global leader in the fight against illicit drugs,

transnational organized crime, terrorism and corruption, and works with governments and other stakeholders to rapidly identify new trends and threats, develop effective responses to counter them and support Member States in taking strategic action. UNODC works in all regions of the world to help Member States in preventing corruption by promoting integrity and good governance and helping recover stolen assets (UN 2004).

The next is the Special Rapporteur on the independence of judges and lawyers, who was established by the Commission on Human Rights in resolution 1994/41. This mandate was assumed by the Human Rights Council (General Assembly resolution 60/251), and extended for one year (Human Rights Council decision 2006/102). This mandate provides for the protection of human rights by promoting the independence of the judiciary and the free exercise of the legal profession. She serves in a voluntary capacity and is independent of the UN, States, and non-governmental organizations (UN 1994–2024).

To promote the effective implementation of the UN Convention against Corruption and assist anti-corruption agencies (ACAs) worldwide in the prevention of and fight against corruption is called upon the International Association of Anti-Corruption Authorities (IAACA). This is an independent and non-political anti-corruption organization with the goal of unwavering commitment to attaining the United Nations' Sustainable Development Goal 16.5 to "substantially reduce corruption and bribery in all their forms" by 2030. Up to now, over 170 ACAs from different countries and regions have joined IAACA as members. Members are categorized under five regional groups with reference to the United Nations Regional Groups of Member States. Regional Coordinators are appointed to deepen communication and collaboration with ACAs within their regions, and arrange tailor-made training activities for them (IAACA 2006–2024).

The experience of targeted anti-corruption work of the UN is also expressed in mandates for commissions that specialize in helping national public authorities fight crime, including corruption. For instance, International Commission against Impunity in

Guatemala / sp. Comisión Internacional contra la Impunidad en Guatemala (CICIG) was created according to the agreement Agreement between the United Nations and the Government of Guatemala. The initial two-year mandate since December 12, 2006 was renewed several times till 2019. The Commission's mandate permits it to carry out independent investigations, to act as a complementary the Public Prosecutor's Office (Procuraduría General de la Nación), the National Civilian Police (Policía Nacional Civil) and other state institutions in the investigation of sensitive and difficult cases, as well to recommend public policies to help fight the criminal groups that are the subject of its investigations. The ultimate goal of CICIG's work is to strengthen national judicial institutions, to allow them to continue to confront illegal groups and organized crime in the future (Carrera 2017, p. 1–7). The commission was headed by lawyers outstanding in their professional success and virtue, for instance, Carlos Castresana, prosecutor of Spain, the 1st Commissioner 2007–2010; Francisco Dall'Anese, legal scholar and former Attorney-General of Costa Rica the 2nd Commissioner 2010–2013; Iván Velásquez is a distinguished former auxiliary magistrate of Colombia's Supreme Court, Commissioner during 2013–2019.

INTERPOL was officially created on 7 September 1923 as result of lawyers and police officials from 24 countries discussion about cooperation in solving crimes, identification techniques and extradition. On 1 January 2022, the INTERPOL Financial Crime and Anti-Corruption Centre (IFCACC) was launched to support member countries in detecting, preventing and disrupting the threat posed by financially motivated crime, such as fraud, and those enabled or facilitated by corruption, money laundering and the acquiring of assets. IFCACCs' efforts against corruption will span various crime types, including doping in sport, the corruption of public officials, and grand corruption (involving senior political figures). IFCACC will strengthen INTERPOL member countries' ability to combat grand corruption both nationally and internationally (INTERPOL 2022–2025). For instance, though much of the state apparatus devoted to prosecuting corruption is focused on the rules that

apply to Chinese officials, resources in recent years have also been devoted to investigating private sector actors, including employees and managers at multinational corporations. State investigations in China are also of relevance to multinational firms insofar as western and Chinese anti-corruption authorities have in recent years slowly begun the process of cross-border cooperation (Yannett 2013, p. 115).

Two global financial institutions – the International Monetary Fund and the International Bank for Reconstruction and Development (World Bank) – are also involved in anti-corruption work. Both of them were the result of the conference in July 1944 when delegates from 44 countries met for the UN Monetary and Financial Conference held at the Mount Washington Hotel in Bretton Woods (New Hampshire, USA) and aimed to create the framework for post-war international economic cooperation and reconstruction. The intellectual leaders at the conference were John Maynard Keynes (Adviser to the Treasury in the United Kingdom), and Harry Dexter White (Assistant Secretary of the Treasury in the United States). The Integrity Vice Presidency (INT) is an independent unit within the World Bank Group that investigates and pursues sanctions related to allegations of fraud and corruption in World Bank Group-financed projects. INT supports the main business units of the World Bank Group and external stakeholders, mitigating fraud and corruption risks through sharing investigative findings, advice, prevention and outreach efforts. INT reports directly to the President of the World Bank Group institutions and is under the oversight of the Audit Committee of the Executive Board (World Bank 1944–2024). By 2002 the Bank began to substantially strengthen debarment sanctions for supply side bribe payers (Spahn 2013, p. 7). According to the World Bank, businesses and individuals pay more than $1 trillion in bribes every year (Tacconi 2020, p. 306). The IMF contributes to the anti-corruption policy of countries through the provision of recommendations, guidelines, and thematic events.

The relationship between various economic factors such as economic growth, economic development, and corruption has been addressed by leading economists. The partial mediation effect of the perception of the overall situation in the country

between the economic perception and corruption perception draws attention to the fact that the perceived corruption level increases in a state further if the low economic perception is accompanied by dissatisfaction with the overall conditions in the country (Simonyan 2023, p. 5). In this regard, relevant areas in the activities of international economic organizations play an important anti-corruption role. The Organisation for Economic Co-operation and Developments' vocation has been to deliver greater well-being worldwide by advising governments on policies that support resilient, inclusive and sustainable growth. Through evidence-based policy analysis and recommendations, standards and global policy networks, including close collaboration with the G7 and the G20. The forerunner of the OECD was the Organisation for European Economic Co-operation (OEEC), which was formed to administer American and Canadian aid under the Marshall Plan for the reconstruction of Europe after World War II. The Convention transforming the OEEC into the OECD was signed on 14 December 1960 and entered into force on 30 September 1961. Since 1961, the OECD has developed close to 300 legal instruments, many of which have become international standards promoting integrity. For instance, the OECD Anti-Bribery Convention 1998 is one of the most important international tools to combat bribing activities. Since it entered into force in 1999, the Convention has helped governments to pass laws, strengthen their regulations, and to strengthen their enforcement capacity to comply with the Convention. The OECD's work also covers a wide-ranging spectrum of areas relevant to anti-corruption and integrity, developing standards and best practices on issues such as bribery, procurement, public financial management, public and private sector integrity, illicit trade, development assistance and tax issues (OECD 1960–2024). By 2012, 39 major economic powers have ratified the OECD Anti-Bribery Convention and 165 nations are states parties to the United Nations Convention Against Corruption (Spahn 2013, p. 1).

The Financial Action Task Force (FATF) is an intergovernmental body established in July 1989 by the G7 to examine and develop

measures to combat money laundering. It originally included the G7 countries, the European Commission and eight other countries. The objectives of the FATF are to protect financial systems and the broader economy from threats of money laundering and the financing of terrorism and proliferation, thereby strengthening financial sector integrity and contributing to safety and security. The FATF preparing guidance to facilitate continuing work on money laundering, terrorist financing and other misuse of the financial system relating to corruption. In 2022, the FATF further strengthened the global beneficial ownership rules in the FATF Standards to stop criminals from hiding their illicit activities and dirty money behind secret corporate structures (FATF 2012–2023, p. 7–9).

The International Organization for Standardization is an independent, non-governmental, international standard development organization composed of representatives from the national standards organizations of member countries since 1946. Its Anti-bribery management systems 37001 allows organizations of all types to prevent, detect and address bribery by adopting an anti-bribery policy, appointing a person to oversee anti-bribery compliance, training, risk assessments and due diligence on projects and business associates, implementing financial and commercial controls, and instituting reporting and investigation procedures. Providing a globally recognized way to address a destructive criminal activity that turns over a trillion dollars of dirty money each year, ISO 37001 addresses one of the world's most destructive and challenging issues head-on, and demonstrates a committed approach to stamping out corruption (ISO 37001, 2016). For instance, the Transparency International Bribe Payers Index ranks companies from russia, China, Indonesia, Argentina, India, and South Africa among those perceived to be most likely to pay bribes when doing business abroad (De Simone 2014, p. 41).

The elimination of corruption from the list of real threats to the national security of Ukraine involves the rule of law establishment as one of the key principles of the relations development between Ukraine and NATO, which was officially laid down on 4 April 1949 with the signing of the North Atlantic Treaty,

more popularly known as the Washington Treaty. The Building Integrity Policy endorsed at the Warsaw Summit "reaffirms our conviction that transparent and accountable defence institutions under democratic control are fundamental to stability in the Euro-Atlantic area and essential for international security cooperation." The NATO International Staff, International Military Staff, Military Commands and Agencies will continue to build integrity, transparency, accountability and promote good governance within their structures. The Building Integrity Action Plan noted by NATO Foreign Ministers in December 2016 includes activities to be undertaken by NATO, Allies and our partner nations (NATO 1997, 2016). The effectiveness of the troop's management, mobility, logistical support, technological dominance in the field of military development, high ability to receive and use intelligence data, as well as other advantages of NATO's legal standards prove the expediency of Ukraine borrowing their experience as deeply as possible. The success of this work is a guarantee of elimination of losses from corruption in a critically important area of national security – defense of the country.

The Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), formerly PC-R-EV, was established in 1997 by the Committee of Ministers of the Council of Europe. In accordance with the Statute, it shall be a monitoring body of the Council of Europe entrusted with the task of assessing compliance with the principal international standards to counter money laundering and the financing of terrorism and the effectiveness of their implementation, as well as with the task of making recommendations to national authorities in respect of necessary improvements to their systems. Through a dynamic process of mutual evaluation, peer review and regular follow-up of its reports, MONEYVAL shall aim to improve the capacities of national authorities to fight money laundering and the financing of terrorism more effectively (Council of Europe 2010).

The Group of States against Corruption (GRECO) was established in 1999 by the Council of Europe to monitor States' compliance with the organisation's anti-corruption standards. It is dedicated

to helping achieve the following goals: 1) neutralize corruption threats to the rule of law, democracy, human rights, fairness and social justice, hinders economic development, and endangers the stability of democratic institutions and the moral foundations of society; 2) promote co-operation between States in the fight against corruption, including its links with organised crime and money laundering; 3) strengthening the commitment by States to join their efforts, share experience and take common actions; 4) raising public awareness and promoting ethical values are effective means of preventing corruption (Council of Europe 1999).

Unlike the post-communist vetting of judges, which took place during the 1990s, the model that emerged in the last two decades has been primarily justified by the urgent need to clear the judicial sector of corrupt and incompetent judges. Judicial vetting now aims to reach the requirement of independence and integrity of the judiciary as prescribed by the modern understanding of the rule of law. In this manner, vetting has become one of the mechanisms for combatting corruption in the judicial sector, which is particularly important in rule-of-law deficient democracies where this has been a particular issue. "If misused, however, anticorruption strategies become very effective tools for undermining judicial independence by ridding the judiciary of independent-minded judges that the authorities find bothersome." This danger of political misuse requires a deeper engagement with national contexts when implementing a measure as radical as vetting regarding the judiciary or one of the other branches of government (Mihr 2024, p. 102, 103). The economic difficulties of the concerned countries opened the way to a large increase in judicial corruption caused both by the exiguity of judicial salaries and by the great financial value of many questions submitted to the judges for decision. For instance, in 1995, the Venice Commission observed that the low level of salaries of judges in Albania, relative to other professions and activities though not comparable positions in the civil service, was repeatedly identified as an objective factor contributing to corruption among judges and to the consequent reduction of public confidence in the courts. According to the Venice Commission, a form

of assessment of the qualification of the judges or of the correctness of their decisions appear as an exceptional measure. Therefore, the legislative intervention had to be adopted under the condition of extremely stringent safeguards to protect judges who were fit to occupy their position and the credibility of the judicial decisions made in accordance with the law (Bartole 2020, p. 83, 86, 87). In this connection, the historical logic in the decision of the European Council of October 1999 set European Union Agency for Criminal Justice Cooperation (Eurojust) can be traced.

This is a new organisation (initially as a 'unit') composed of 'national prosecutors, magistrates, or police officers of equivalent competence, detached from each Member State'. It was to be tasked with facilitating the proper coordination of national prosecuting authorities and of supporting criminal investigations in organised crime cases. A political agreement was reached in the Council on 14 December 2001 and the decision was formally adopted on 28 February 2002. This organization eliminates artificial obstacles and delays in the investigation of transnational crimes that concern the national interests of Europe, in particular, in the areas of organized crime and the fight against corruption. This capability is of great value for the United States, whose people, companies and government are often victimised by the same criminal actors, including cybercriminals, corrupt officials and terrorists, that affect the Member States of the European Union. Our ability through Eurojust structures to coordinate easily with the countries that so closely share objectives and concerns we have in combatting transnational crime cannot be understated. US prosecutors have participated in hundreds of case coordination meetings at Eurojust, and the United States has opened an increasing number of cases itself, as the demand for such coordination has markedly increased (Eurojust 2022, p. 7, 16, 63, 68, 84).

Europol is the EU Agency for Law Enforcement Cooperation. On 4 December 1991 the meeting of Trevi Ministers agreed that the European Drugs Intelligence Unit, set up in June 1990, should be renamed the Europol Drugs Unit and be the first step in creating Europol (the Trevi Ministers meetings were superseded

by the Council of Justice and Home Affairs Ministers when the Maastricht Treaty came into effect on 1 November 1993). The European Council meeting of Prime Ministers on 9–10 December 1991 formally agreed on the creation of Europol as part of Title VI of the Treaty (Bunyan 1995, p. 1). According to the ANNEX Referred to in Article 2 of the Convention based on Article K.3 of the Treaty on EU, on the establishment of a European Police Office, list of other serious forms of international crime which Europol could deal with in addition to those already provided for in Article 2 (2) in compliance with Europol's objective as set out in Article 2 (1) is directed against property or public goods including fraud, organized robbery, swindling and fraud, racketeering and extortion, computer crime, corruption (EU Convention 1995).

Within a broader context, anti-corruption expert assistance to the Council of Europe is provided by its advisory body the European Commission for Democracy through Law – better known as the Venice Commission as it meets in Venice. Its role is to provide legal advice on constitutional matters to its member states and, in particular, to help states wishing to bring their legal and institutional structures into line with European standards and international experience in the fields of democracy, human rights and the rule of law.

The European Partners against Corruption (EPAC since 2004) and European contact-point network against corruption (EACN since 2008) are independent forums for practitioners, united in the common goal of preventing and combating corruption. EPAC is an informal network bringing together more than 70 anti-corruption authorities and police oversight bodies from Council of Europe Member Countries. Of diverse origin, they have different kinds of competences and varied legal forms. EPAC offers a medium for practitioners to share experiences, identify opportunities, and cooperate across national borders in developing common strategies and high professional standards. EPAC was initiated in 2001 under the auspices of the Belgian Presidency of the EU. Twenty-five heads of police oversight bodies representing the 15 EU Member States of the time recognized the necessity of increased police oversight

cooperation as a way of better addressing shared challenges and finding unified responses. As a first step, they decided to convene for meetings on an annual basis. In 2004, ten additional countries joined the EU. In the process of incorporating the acquis communautaire into their legislation, the new Member States established specialized anti-corruption authorities which, to some extent, became mandated with police oversight and preventing and combating corruption. From this point forward, anti-corruption authorities were also granted a mandate within EPAC alongside police oversight bodies. EACN is a formal network comprising over 50 anti-corruption authorities from EU Member States (EU decision 2008).

The European Anti-fraud Office (OLAF) was established by EU decision 1999/352/EC, ECSC, Euratom of 28 April 1999. The Office shall exercise the European Commission's powers to carry out external administrative investigations for the purpose of strengthening the fight against fraud, corruption and any other illegal activity adversely affecting the Community's financial interests, as well as any other act or activity by operators in breach of Community provisions (OLAF 1999–2024).

The European Bank for Reconstruction and Development (EBRD) has become another important helper of Ukraine in anti-corruption policy. The Agreement Establishing the EBRD was signed in Paris on 29 May 1990 (entered into force on 28 March 1991). In contributing to economic progress and reconstruction, the purpose of the Bank shall be to foster the transition towards open market-oriented economies and to promote private and entrepreneurial initiative in the Central and Eastern European countries committed to and applying the principles of multiparty democracy, pluralism and market economics. UNODC and EBRD share common objectives with regard to their commitment to addressing the interrelated issues of preventive measures of corruption, building and strengthening well-governed, integrated and inclusive economies; and to facilitate collaboration between UN entities, national authorities, private sector, general public and civil society on good governance and economic empowerment, and wish to collaborate to further these common goals and objectives within their respective mandates and

governing rules and regulations. The Office of the Chief Compliance Officer is responsible for procedures governing the ethical behaviour of Bank officials, employees and consultants, and it conducts investigations on alleged staff misconduct. It also sets the standards of integrity that the Bank expects of its business partners (EBRD 1990–2024).

There is a negative relationship between perception of trust in public institutions and corruption perception. This finding is in line with the existing literature which states that in societies where the level of public trust in institutions is low, the perceived corruption level tends to be higher (Simonyan 2023, p. 4). In this regard, the relevant areas in the activities of international political organizations play no less important anti-corruption role than similar structures of economic cooperation. Created between 1973 and 1975 as a diplomatic conference designed to pave the way for East-West dialogue between the European countries developed, as from 1990, into a pan-European security organisation with a very well-organised operational role, particularly in conflict prevention and crisis management. The Charter of Paris for a New Europe, dated 21 November 1990, continued the institutionalisation link of the CSCE into an international organisation was embodied in its change of name from 1 January 1995, when it became the Organisation for Security and Cooperation in Europe. The OSCE works to tackle many aspects of weak governance, including corruption and money-laundering, and to promote full respect of the rule of law, increase transparency, and develop effective legislation as the foundation of a functioning State (OSCE 1990).

Therefore, Ukraine's anti-corruption cooperation with the mentioned organizations is determined by different types of motivation: 1) UN structures cover all participating states, primarily in terms of communication and the power of public authorities, as well as in a number of humanitarian directions of public policy; 2) the specialization of anti-corruption work is more specific in all areas of work with the authorities of the EU and the Council of Europe, which is due to the geographical presence on the European continent, the unity of historical and cultural traditions

with other nations of Europe, the desire to join the rules of revealing the good virtues of their population, which led to economic progress; 3) directions of cooperation within other international organizations represent participation in solving law enforcement tasks at the regional and global levels, as well as structural economic tasks to preserve an acceptable investment climate.

The focus of all anti-corruption international organizations attention does not go beyond the general issues of combating corruption, the ways of its committing, the involvement of various branches of public power in it, as well as financial and other types of economic damage due to dishonesty. Although the effect of anti-corruption work also needs to be detailed within specific spheres of legal relations – military capabilities, counter-intelligence, science, education, sports, ecology, etc. For instance, Corruption in environmental and resource management (ERM) sectors has significant, negative environmental and economic impacts, which in turn can be expected to have negative social impacts. key step in the development of anti-corruption policies is the detailed analysis of the system of corruption specific to each country, which might even differ across its regions (Tacconi 2020, p. 323).

The ineffectiveness of the public authority's interaction with international anti-corruption organizations over the years actualizes the growing demand for the resources of scientists, journalists and other integrity representatives of open civil society to implement the recommendations of these organizations into social practices, to force public authorities to be efficient in this work. The support of civil society anti-corruption investigations by these organizations forces the national public authorities to respond to the facts of corruption, in accordance with the strict requirements of the criminal law, to punish the spending of public funds for private interests, abuse of public official position, etc. For instance, in one country a coalition of civil society organisations (CSOs) discovered that shell companies were being used to manipulate market prices. Even though over 200 companies were licensed to provide pharmaceuticals, 83 percent had never won a public contract and many only existed on paper. In reality companies-controlled

88 percent of the market. The CSOs learned that the then health minister had used state-of-emergency rules to purchase more than half of the essential medicines from a single supplier. Also, the prices paid for these medicines were as much as 41 percent higher than the international averages (Kohler 2020, p. 5). Countries should further proactively share information on concluded settlements with other potentially affected countries. Such information could include the exact terms of the settlements, the underlying facts of the case, the content of any self-disclosure, and any evidence gathered by the investigation. This information could enable other affected countries to conduct several activities: initiate law enforcement actions within their own jurisdictions against the payers and recipients of bribes as well as any intermediaries; seek mutual legal assistance and other forms of international cooperation; pursue the recovery of assets through international cooperation in criminal matters; pursue the recovery of assets through private civil litigation; participate formally in the initiating jurisdiction's investigation and/or prosecution, with a view to pursuing compensation for damages suffered; seek to modify, annul, or rescind any public contracts, permits, and the like that were concluded in the context of bribery cases as well as consider public debarment; and, where settlements include such conditions, monitor the compliance of companies with any resolutions of the settlement, obligating them to establish or reinforce their respective internal anticorruption measures when conducting business transactions within their jurisdiction (Zagaris 2014, p. 70).

Conclusions. Therefore, Ukraine has the support of all these organizations. Its ability to neutralize corruption is incomparably high compared to countries that performed a similar task even before the creation of all these organizations and now represent a model for borrowing of standards in anti-corruption policy. This comparison gives reason to believe that the internal motivation of these countries to overcome corruption is high, even in the absence of external support. An extensive system of international anti-corruption assistance even allows to minimize

the costs of own relevant infrastructure. The resources of foreign legal doctrine become an important source of support for domestic scientists to convince the correctness of their scientific conclusions regarding successful anti-corruption measures. Amid this background and amid the background of access to powerful anti-corruption resources at the European and world levels, there is essentially sabotage of anti-corruption policy in Ukraine, which has critically affected the security of the Ukrainian nation.