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PUBLIC ADMINISTRATION IN COMBATING CORRUPTION IN THE RUSSIAN FEDERATION

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Abstract: The article reviews the legal instruments used in Russia to combat corruption in order to propose recommendations for their improvement. It is noted that the country has extensive legislation to counter corruption, which according to domestic and international estimates is not very effective. For writing the article, the formal legal method and the method of comparative jurisprudence were used. The ineffectiveness of measures used to counter corruption, in the opinion of the authors, is due to the disunity and insufficient reasonability of the legal norms of these institutions. The authors identify the blocks of legislative and enforcement problems that require resolution. The conclusion is to harmonize the norms of various anti-corruption institutions. In particular, it is proposed to clearly define the list of elements of administrative offenses and criminal offenses with a corruption focus; update legislation on enforcement proceedings in order to improve the efficiency of work to recover damage caused to the state; at the civil service institute, clarify the concept of conflict of interest, adjust the legislation on the control over the conformity of expenses and incomes of public servants. In general, the authors express concern about the quality of legislative regulation

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in connection with authoritarian trends in the development of Russian statehood.

Keywords: anti-corruption, civil service, responsibility for corruption offenses, control over the compliance of incomes and expenses of civil servants, anti-corruption expertise.

1. Introduction.

Anti-corruption is the most important area of public policy in many countries of the world. It can be recognized that individual states, such as Denmark, New Zealand, Finland, Sweden, Singapore and others, have succeeded in it [1; 2; 3]. While in the Russian Federation, according to domestic and international assessments, the problem of corruption, of course, remains one of the central in the effective state-building. It is estimated that about 40 percent of gross domestic product in Russia is the shadow market [17, p. 15]. *Russia ranked 138th (out of 180) in the corruption perceptions index prepared by the international human rights organization Transparency International (*https://transparency.org.ru/research/indeks-vospriyatiya-korruptsii/rossiya-v-indekse-vospriyatiya-korruptsii-2018-28-ballov-iz-100-i-138 mesto.html).

The relevance of the research issue is due to negative manifestations, destructive processes associated with the growth of corruption in modern Russia, creating a real threat to national security of the state, as well as the need to counter this phenomenon, especially in the system of main branches of law (administrative, civil, criminal law). Today, the need for inter-sectoral coordination of anti-corruption mechanisms comes to the fore, rather than a sectoral impact on negative corruption processes.

2. Materials and methods.

The formal legal method, method of comparative law, hermeneutics, synergetics and dialectical method were used for writing the article. In particular, the formal legal method was the basis of the study, as the priority was given to the analysis of legal norms on combating corruption of various industries, the main normative acts in the field of combating corruption (in the context of recent changes and practice of their application). The method of comparative law was used to compare various legal

institutions to combat corruption, comparison with international instruments and foreign experience was partially implemented. Such general scientific methods as hermeneutics, synergetics and dialectics were used in connection with consideration of anti-corruption legislation in its diversity and development. The legislation and corruption were considered as complex legal systems with an obvious role of accidents in them; understanding the author's approaches to anti-corruption policy was of great importance.

Scientific literature was focused on the study of anti-corruption relations in Soviet and post-Soviet Russia. Thus, A.I. Alekseev, A.A. Aslakhanov, S.A. Altukhov, V. V. Astanin, S.E. Borisova, O.N. Vedernikova, L.G. Dashkova, V.V. Luneev, L.V. Petelina, M.A. Semko, A.D. Safronov, R.V. Skomorokhov, A.A. Tirskikh, T.A. Khabibulin, V.A. Shabalin, P.A. Shurygin, P.S. Yani devoted their works to the special analysis of anti-corruption measures. The works of I.N. Barsits, N.V. Bolva, E.I. Golovanova, M.A. Dolgova, A.M. Lomov, L.Z. Macheladze, A.V. Kurakin, N.M. Konin, N.Yu. Khamaneva and other scientists expressed some aspects of anti-corruption. At the same time, most of the authors analyzed countering corruption from the standpoint of any one branch of law. The value of this paper is in the interdisciplinary view of the phenomenon under consideration. At the same time, in addition to a clear focus on the law enforcement aspect of the chosen topic, the authors of this work tried to embrace actual modern works of representatives of various areas of legal knowledge, so mainly articles, not monographs were used as scientific sources.

3. Results.

Public authorities of the Russian Federation have been actively demonstrating their efforts to overcome such a negative phenomenon. The country has more than 200 regulations aimed at combating corruption. Almost all the major institutions known in the world are used to minimize corruption risks (but a special anti-corruption body was not created). In particular, criminal, administrative, disciplinary and civil liabilities are established for corruption offenses; the institute of public service introduced prohibitions, restrictions, qualification requirements, there is

regulation of conflicts of interest and personnel reserve is formed; legislation on public procurement and privatization is updated; the state continues to "get out of economy", reducing administrative barriers, it develops the idea of public control and e-government. These innovations have led to some improvement in the practice of law enforcement. It is obvious, for example, that now it has become easier to receive public services, it is more difficult to bribe in the conditions of normative prohibition of direct receipt of fines by regulatory authorities, the ban on officials to have accounts abroad, the media reports on investigated criminal cases of corruption offenses are encouraging, there is information about the facts of dismissal of officials for non-compliance with prohibitions and restrictions.

However, in general, public administration in Russia cannot be considered effective in combating corruption (due to general disunity and imbalance of anti-corruption legislation).

First, there is not consistency of norms in the institutions of legal liability for corruption offenses in Russia. With the general tightening of criminal liability for corruption crimes, there is an imbalance in the amount of a fine provided for different types of corruption crimes. For example, when analyzing Articles 160, 285 and 290 of the Criminal Code of the Russian Federation, it follows that when accepting a bribe in the amount of more than 150 thousand rubles, a perpetrator faces imprisonment (the term is 7-12 years with a fine of 9 million rubles). However, in the case of misappropriation or embezzlement of entrusted property in the amount of up to 1 million, when a person uses his official position, the maximum fine is from 2 months to 6 years in prison with a fine of up to 10 thousand rubles. It is obvious that a legislator has no uniform balanced approach to establish criminal liability for corruption crimes. At the same time, the study of judicial practice suggests that judges often impose penalties for corruption crimes that are not associated with real deprivation of liberty, since the acts are not violent [5, p. 50]. The deterrent effect of criminal liability remains questionable.

Administrative liability has also been strengthened: according to The

Code of the Russian Federation on Administrative Offences, a legislator is obliged to conduct administrative investigations in corruption offences, the limitation period for bringing to administrative liability for such acts has been increased to 6 years compared to the general limitation period of 2 months, a legislator has introduced new elements of offenses (e.g. illegal remuneration on behalf of the legal entity). However, the effective application of these norms is hardly possible in those conditions when the list of corruption elements of neither crimes nor offenses is not legally defined, and the legislative definition of corruption does not allow to identify the act as corruption (Federal Law of December 25, 2008 No. 273-FZ (ed. of October 30, 2018) "On combating corruption"). Accordingly, the competent application of the principle of the presumption of innocence raises the problem of establishing the range of offences to which the strict procedural rules can be applied.

Civil liability is possible for corruption offenses. The Civil Code of the Russian Federation allows you to recover from the guilty damage caused to the state. According to Federal Law of December 03, 2012 No. 230-FZ (ed. from November 03, 2015) "On Monitoring Consistency of Expenses of Public Officials and other Persons with their Income", prosecutors have the authority to make a claim in court to convert movable and immovable property into state revenue, in respect of which employees have not provided data that it is acquired using lawful source of income. However, the practice of implementing these provisions of the law leaves much to be desired. For example, according to official statistics, the number of corruption crimes amounted to 29.6 thousand in 2017, the total damage is 39.6 billion rubles [18, p. 60]. While in the first half of 2017 prosecutors made only 17 claims in court to convert movable and immovable property into state revenue for a total amount of 75 million rubles (the official website of the Prosecutor General's Office of the Russian Federation. URL: http://genproc.gov.ru/smi/news/genproc /news-1229634/ (accessed: February 15, 2019). It turns out that in respect to the bulk of property damage caused by corruption offenses, the state does not work to compensate for the damage.

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Moreover, considering weak effectiveness of implementation of legislation on enforcement proceedings in the Russian Federation, the state loses huge amounts of administrative and criminal penalties imposed for corruption offenses at the stage of enforcement, as well as compensation awards [20, p. 22].

Regarding complaints to legislative regulation of prosecutor's office and its functions on converting the damage caused by corruption offenses into state revenue; it should be noted that limitation of supervisory powers by transactions directed on land acquisition, other real estate objects, vehicles, securities, shares. Operations with other types of property, including buying jewels, artwork, and antiques fall outside of control of the prosecutor's office [20, p.23].

In order to improve the institution of responsibility for corruption offenses, the proposal of individual authors to expand the practice of using an operational experiment in the form of a provocation of bribery should be taken into account [5, p. 51]. It is also true that the main preventive effect of punishment is not so much its severity as its inevitability. Although the share of corruption due to its latency still does not exceed 1.5 percent in the total volume of registered crime [18, p. 64].

Secondly, new institutions aimed at combating corruption lacks coordination and, in some cases, clarifications in the legislation on public service.

The legal definition of a conflict of interest as a situation in which interests (direct or indirect) of a person holding a position, substitution of which provides for obligation to take measures to prevent and resolve a conflict of interest, affects or may affect the proper, objective and impartial performance of his official duties (exercise of powers), in the opinion of many authors, leads to the unnecessarily broad interpretation. It is suggested that in this case the list of relatives or other persons, types of benefit is excessively expanded and goes beyond the criminal-legal concept of corruption [25, p. 16]. As a result, in practice, there are many problems with the recruitment of authorities and even state and municipal institutions. Public policy is often unreasonably damage professional dynasties, struggling not with a conflict of interest, but with

prospective relations.

The excessive government control is also noted by researchers with regard to the prevention of conflicts of interest at termination of official duties. The objective side of the composition of an administrative offense provided by Article 19.29 of the Code of the Russian Federation on Administrative Offenses, is illegal actions, expressed in the failure to notify representatives of an employer at the former place of service of the former state or municipal employee and involves the liability regardless of the fact that the state or municipal employee has management functions of an organization that has concluded an employment contract with him or a civil contract [4, p. 76].

Federal Law No. 230-FZ of December 3, 2012 (ed. November 3, 2015) "On control over consistency of expenditures of persons holding government offices and of other persons to their incomes" does not regulate the actual procedures for comparing income with expenses. Therefore in practice there is a set of difficulties at clarification of the term "income", at correlation of objectively not coinciding data provided by banks and other organizations to employees and materials received from the same sources by prosecutor's office at declaration of income of spouses of employees who are engaged in business or are not citizens of Russia. It remains unclear from the content of the law whether it is possible to verify the information provided by employees, using operational and investigative measures. According to some researchers, the monitoring institution of revenue of officials is not quite logical regulation; it overburdens ordinary representatives of the state apparatus and it does not contribute to the real disclosure of information and unjustifiably does not apply to representatives of the largest legal entities with significant state participation [11, p. 5-10; 28, p. 100; 21, p. 57]. In this regard, a proposal is made to oblige representatives of employers or registration and tax authorities, and not the civil servant, to provide information on the income and transactions of officials. The global ban on having accounts abroad often also does not seem entirely rational in situations involving small amounts, border areas, family relationships and different types of accounts. There are obvious

contradictions between prohibitions for civil servants and the rule of Article 575 of the Civil Code of the Russian Federation, allowing "ordinary gifts" worth up to three thousand rubles.

It was to be hoped that proposals developed by the Ministry of Justice of the Russian Federation jointly with the Ministry of Labor of the Russian Federation, the Ministry of the Interior, with the participation of the Office of the Prosecutor General and the Investigative Committee of the Russian Federation on consolidation of the term "force majeure" in legislation on anti-corruption, filling income, expenses and property declarations and members of officials' family, providing data about the degree of consanguinity or affinity to prevent conflict of interests, the notification of cases of involvement in corruption activities. The position of the Ministry of Justice of the Russian Federation on referring to those circumstances when officials unable to provide data on income and expenses of minor children on dissolution of marriage is justified; the compliance with conflicts of interest in indigenous communities in enforcing the ban to replace managerial positions of state and municipal service relatives is problematic. Civil servants for objective reasons cannot comply with the requirements of anti-corruption legislation also for health reasons, on a long business trip, etc. (the Ministry of Justice gave examples of force majeure: https://kadrsov.ru/all/ofitsialno/1230-ministerstvo-yusticii-privelo-primery-obstoyatelstv-nepreodolimoj-sily).

Thirdly, there are criticisms of other anti-corruption institutions. The current legislation on anti-corruption expertise excluded a significant amount of legal documents from the objects of anti-corruption expertise, such as individual legal acts adopted by state and municipal authorities, official documentation of legal entities: contracts, regulations, orders, decisions and protocols [27, p. 138]. There is a weak participation of independent experts in the anti-corruption expertise. With the general orientation of the normative array on openness to public control, there is a certain artificiality of creating tools of public control and their insufficient effectiveness [24, p. 105].

Considering the legal Public Procurement Institute, it is suggested that the most important goal of it is

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eliminating corruption [29, p. 6]. Despite the reform of the system of legal regulation of public procurement, this area remains one of the most corruption-intensive, according to experts. At the same time, on the one hand, the state's losses from purchases at inflated prices are still high, and on the other hand, the conditions created by the current legislation for "chasing" low prices lead to significant abuses from suppliers in terms of quality and performance of obligations [19, p. 49]. And officials of organizations – budget recipients are forced to "balance between price and quality" at risk of criminal liability. "Withdrawal of the state from the economy", accompanied by liberalization of licensing legislation, self-regulation, technical regulation, weakening of control functions of authorities, according to many researchers, does not reduce corruption risks, but rather poses a threat to the food, technological and industrial security of the country [7, p. 178; 14, p. 35; 23, p. 88]. There is a feeling of formation of some double legal standards in the country, when one rule is officially proclaimed in the law, but it is presumed in advance that in practice it can be reduced to another. S.A. Denisov calls it the slogan of the modern authoritarian state: "For my *friends* – everything, for my *enemies* – *the law*" [9, p. 12].

4. Discussion.

The issue of combating corruption is widely discussed in Russian legal science. First of all, it concerns the very understanding of the term "corruption". Federal law No. 273-FZ of 25 December 2008 (ed. October 30, 2018) "On combating corruption" offers the following definition: "corruption: a) abuse of official position, giving bribe, acceptance of bribe, abuse of power, commercial bribery or other illegal use by a physical person of his/her official position in defiance of the legitimate interests of the society and the State for the purpose of profiting in the form of money, valuables, other property or services of material nature, other rights of property for oneself or for third parties, or illegal provision of such benefits to the said person by other physical persons; b) commitment of acts, specified in the subparagraph "a" of the present paragraph, on behalf of or in the interests of a legal entity;

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This definition is generally criticized because it is the enumeration of some (not all) corruption-related offences. The legislation does not differentiate between types of corruption and it does not define it as a "phenomenon". Accordingly, "economic corruption", "political corruption", "petty corruption", "elite corruption", etc. are not legally indicated. Eventually, on the one hand, arbitrary terms appear in regulations, such as "payoff" (the Decree of the President of the Russian Federation No. 147 of April 1, 2016 "On the National Anti-Corruption Plan for 2016-2017"), on the other hand, anti-corruption measures are not subdivided according to the specifics of the type of corruption. Although, according to some authors, the ways to counteract should be predetermined by the type of corruption. For example, according to P.N. Feshchenk, a significant increase in the wages of municipal employees would be effective for "grassroots corruption" where bribes are 5-10 thousand, while for the "elite", where the amounts are in the millions of rubles and dollars, seizure of property, a lifetime ban on civil service or expulsion from the capital to distant regions of the country, as in tsarist Russia [26, p.139] would be effective. Of course, the types of measures to combating corruption of certain types are debatable, but the appropriateness of their adaptation to the classification of a number of corrupt behavior is obvious. It seems that perhaps not to consolidate the types of corruption in the law, but the calculation methods of anti-corruption should be built on the basis of the scientific of the proposed types of corruption.

Another difficult point is the question of other types of personal interest as a motive for corruption. From the above rules it follows that the legislator, when defining corruption is quite clearly leans towards restrictions of motivation is only self-serving. Therefore, the legal literature discusses the problem of the lack of criminalization of the concept of intangible benefits in the current Russian anti-corruption legislation [8, p. 15].

However, the problem of legal definition of corruption, though considered significant, cannot be recognized as the main in the evaluation of Russian anti-corruption legislation, as the phenomenon of corruption is

complex and multifaceted. All countries face the problem of the adequacy of this term formulation in regulations. Even the international documents in the sphere of combating corruption, according to many researchers, contain a controversial definition. Therefore, it is possible in implementation of legal regulation to rely on doctrinally developed approaches to the definition of corruption, its types, causes and conditions.

However, the essential point in the comparison of the Russian legislation and international acts is the fact that international documents (The United Nations Convention against Corruption; The *Convention* 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* of 26 May, 1997; Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of 21 November, 1997, The Convention on Criminal Liability for Corruption of 27 January, 1999, etc.) reveals the concept of "corruption" through an act for which a normative legal act establishes civil, disciplinary, administrative or criminal liability. Thus, it refers to such a term as corruption offenses, although Russian legislation has not yet defined the concept and list of corruption crimes and offenses, which in the light of the study is significant. But to improve Russian legislation in this part, it is not necessary to change the legal definition of corruption; it is enough to establish a list of corruption offenses in criminal, civil, administrative and disciplinary legislation. In particular, the Federal Law of 27 July, 2004 No. 79-FZ (ed. of December 11, 2018) "On the State Civil Service of the Russian Federation" introduces the concept of "corruption offenses", but it does not establish its definition. The main problem is in the unformed system of legal responsibility of public civil servants. Corruption offenses are considered as legal grounds of civil servants' official responsibility [15, p. 53]; corruption offenses are also referred to a special category of disciplinary offenses of civil servants [10, p. 50].

Apart from the discussion about the definition of corruption, there is currently no consensus in Russia on how

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to improve specific ways of combating corruption. Thus, in the legal literature it is proposed to establish a system of material and moral incentives for citizens who report to law enforcement agencies about corruption offenses [26, p. 139]. This proposal was accepted by the Ministry of Labor, which prepared the bill on material and moral incentives for citizens who reported bribes and embezzlement of budgetary funds (with the participation of the Civic chamber of the Russian Federation, 2015; the Ministry of Labor of Russia prepared a bill aimed at protecting persons who reported corruption offenses // URL: http://www.rosmintrud.ru/labour/public-service/102 (accessed 26 April 2018). However, the authors' attitude to such an initiative is skeptical, because corruption offenses are latent and they are committed most often without witnesses. In conditions of a low standard of living in Russia, such a rule can create an incentive for citizens to provide false information about corruption offenses. There may also be massive difficulties in determining the extent of "honest mistakes" in the evaluation of such reports of citizens.

In addition to moral and material incentives, it is traditional to use the fear of responsibility as an incentive for law-abiding behavior. In this regard, some authors positively assess the introduction of Article 205.6 of the Criminal Code of the Russian Federation, establishing criminal liability for non-reporting a number of preparing or committed crimes of a terrorist nature. It is proposed to add a similar article in relation to liability for failure to report multibillion embezzlements of budget funds [26, p. 138]. However, it seems that this measure is also not crucial for combating corruption and it is difficult to implement because of the heavy workload of law enforcement agencies.

The opinion that it is necessary to radically toughen the punishment for corruption crimes up to the death penalty is quite popular in Russian society. However, professional lawyers consider the improvement of activities of law enforcement agencies to combat corruption to be more important task in combating corruption [6, p. 47]. Indeed, in law enforcement practice, there are a number of problems associated with bringing the perpetrators to justice for corruption crimes. For example, it can be difficult to distinguish bribery from

fraud, or fraud from commercial bribery, to prove qualifying signs of crimes. Therefore, the high qualification of law enforcement officers is extremely important.

The authors can agree with the opinion that imposition of a more lenient punishment due to an error can lead to inefficiency in combating corruption, to the failure to achieve such goals of punishment as the restoration of social justice, the prevention of new crimes; and occurrence of more strict legal consequences than a legislator fixed for commission of a specific type of crimes, in turn, it will lead to violation of the principle of justice according to which punishment has to correspond to the character and degree of public danger of a crime, circumstances of its commission and the identity of the perpetrator. Therefore, a thorough analysis of all the circumstances of each criminal case and an individual approach to sentencing are necessary [22]. At the same time, it is possible to take into account the opinion of D.Yu. Kaigorodova about expediency of distribution of imposition of a more lenient punishment than that provided for the given crime a milder punishment that provided for this crime, also on serious and particularly serious crimes of corruption orientation (Article 64 of the Criminal Code of the Russian Federation) [13, page 22]. This measure can help to increase the effectiveness of combating corruption, as well as implementation of the criminal law principle of justice and the principle of proportionality of criminal punishment to the committed crime.

Another direction of discussion on the improvement of anti-corruption legislation is the discussion of raising the legal awareness of citizens. For example, it is proposed to create in universities, academies, institutes and other educational institutions certain free sources of public opinion: newspapers, magazines, public electronic resources, which should draw public authorities' attention, especially the attention of law enforcement agencies, in the process of identifying and exposing corruption in education [6, p. 49]. It seems that such measures may have a positive impact, but they are also not decisive for combating corruption. The policy documents of Russia include the following measures: assistance in involving the population in decision-making processes; ensuring effective

public access to information, contributing to the creation of an atmosphere of intolerance towards corruption in society. However, these measures are not specific.

Therefore, the authors consider it more appropriate to present in this article a comprehensive cross-sectoral and at the same time formal legal view on the need to harmonize anti-corruption legislation in various fields of law.

5. Conclusion

Thus, legal measures to combat corruption in the Russian Federation need to be comprehensively improved, it is necessary to find a balance of legislative regulation between various anti-corruption institutions. It seems that a legislator should clearly define the list of administrative offences and criminal offences with a corrupt orientation and balance the penalties, expand the possibilities of using the investigative experiment. It is necessary to systematically update the legislation on enforcement proceedings in order to improve the efficiency of work to recover damage caused to the state by persons who committed corruption offenses. At the institute of public service, there is a need to clarify the concept of conflict of interest, need to coordinate the norms on gifts and prohibitions to employees. Legislation on the control over the compliance of expenses and income of state and municipal employees, as well as other persons, the provision of which certificates of income, expenses, property and obligations of a property nature is mandatory, it is advisable to adjust in terms of the distribution of duties on Income and Expense Declaration, establishing procedures for comparing income with expenses. The processes of “withdrawal of the state from the economy” require additional analysis and improvement. In general, it is extremely important in the formation of such procedures of law-making which would involve much discussion and representativeness, and would also help to get rid currently available monocentrism of the power, because excessive centralization of state gives rise to the adoption of insufficiently well-considered initiatives.

References

Between a Rock and a Hard Place: FCPA Update [text] // A Global Anti-Corruption Compliance Newsletter, March 2015. Vol. 6. No. eight.

Anti-bribery and corruption: global enforcement and legislative developments 2017 [Electronic resource] // https://www.freshfields.com/globalassets/services-page/global-investigations/publication-pdfs/gi-abc-guide- 2017.pdf

Anti-Corruption Compliance Policy & Manual March 2018 [Electronic resource] // https://www.teck.com/media/Anti-Corruption-Policy.pdf

Averin M.S. On the issue of bringing to administrative responsibility a proper subject for non-implementation of legislation on combating corruption [text] / M.S. Averin // Laws of Russia: Experience, Analysis, Practice. 2018. No. 4. P. 73 - 78.

Aleksandrov A.I. Fighting Corruption: Topical Issues of Criminal Law, Criminal Procedure and ORD [text] / A.I. Aleksandrov // Russian justice. 2018. No. 4. P. 49 - 52.

Aliev V.M., Solovyh N.N. Crimes of corruption in higher education: problems of counteraction [text] / V.M. Aliyev, N.N. Solovykh // Russian investigator. 2019. № 4. S. 46 - 50.

Belykh V.S., Panova A.S. Technical regulation in Russia: current state and development prospects [text] / V.S. Belykh, A.S. Panova // Russian legal journal. 2017. No. 5. P. 178 - 188.

Verkhoturov A.A. The concept of corruption: existing approaches [text] / A.A. Verkhoturov // International Criminal Law and International Justice. 2018. No. 4. P. 15 - 17.

Denisov S.A. Imitation of the constitutional system in Russia [text] / S.A. Denisov // Constitutional and Municipal Law. 2012. № 10. P. 9 - 14.

Dobrobaba M.B. The problem of systematization of office and disciplinary delicts [text] / m.B. Dobrobaba // Administrative law and process. 2013. No. 7. S. 48-50.

Zaikov D.E. Problems of application of the institute of control over the compliance of expenses of persons replacing corruption-dangerous positions with their incomes [text] / D.E. Zaykov // Law in the Armed Forces. 2017. No. 3. P. 5 - 10.

Kazantseva O.L. Independent anti-corruption expertise: did the expectations come true? [text] / O.L. Kazantsev // Eurasian Bar. 2015. № 1. P. 6.

Kaigorodov D.Yu. On the prohibition of the appointment of a milder punishment than provided by law for crimes of a corruption nature [text] / D.Yu. Kaygorodov // Russian investigator. 2017. № 11. P. 21 - 25.

Kalinin G.I. Administrative and legal issues of technical regulation: consequences of cancellation of technical regulations for milk and dairy products for state administration in the field of veterinary medicine [text] / G.I. Kalinin // Administrative law and process. 2016. No. 7. P. 34 - 37.

Kandrina N.A. On the issue of official responsibility of civil servants [text] / N.A. Kandrina // Russian Justice. 2015. № 3. S. 53.

Kudryavtseva A., Podgorny A. In pursuit of efficiency [text] / A. Kudryavtseva, A. Podgorny // Bank review. 2019. № 1. S. 92 - 93.

Kuzmina N.V. Criminal economic activities of ethnic groups as a factor in weakening the competitiveness and legal protection of entrepreneurs in the Russian Federation [text] / N.V. Kuzmina // Competition Law. 2013. № 1. P. 15 - 17.

Kurakin A.V., Sukharenko A.N. Administrative responsibility for violation of anti-corruption legislation [text] / A.V. Kurakin, A.N. Sukharenko // Modern law. 2018. № 10. P. 60 - 67.

Kurakin A.V., Sukharenko A.N. Anti-corruption in the financial and budgetary sphere [text] / A.V. Kurakin, A.N. Sukharenko // Russian justice. 2017. № 1. P. 48 - 52.

Marasov Yu.G. Control over the expenses of individual officials as one of the main measures to prevent corruption [text] / Yu.G. Marasov // Russian judge. 2018. No. 4. P. 22 - 26.

Presnyakov M.V. Problems of applying property obtained by corruption to the state's income: "And Vaska listens and eats" [text] / M.V. Presnyakov // Administrative law and process. 2017. № 1. P. 54 - 58.

Solovyova Yu.I. Corruption crimes [Electronic resource] / Yu.I. Solovyov // Consultant Plus Reference Legal System. 2019.

Subanova N.V. The role of self-regulatory organizations and their associations in ensuring the rule of law [text] / N.V. Subanova // Laws of Russia: experience, analysis, practice. 2017. No. 9. P. 88 - 94.

Timoshenko I.G. Social control as a means of countering corruption in foreign countries [text] / IG Timoshenko // Journal of Foreign Legislation and Comparative Law. 2018. № 1. P. 102 - 109.

Utkin V.A. Conflict of interests in the state and municipal service and the mechanism for its prevention and settlement [text] / V.A. Utkin // Business Security. 2018. No. 5. P. 11 - 18.

Feschenko P.N. A system approach to countering corruption [text] / P.N. Feschenko // Actual problems of Russian law. 2019. № 2. S. 138 - 143.

Tsirin A.M. Anti-corruption expertise in Russia and foreign countries: comparative legal research [text] / A.M. Tsirin // Journal of Foreign Legislation and Comparative Law. 2018. No. 4. P. 138-145.

Cherepanova E.V. Anti-corruption in public administration [text] / E.V. Cherepanova // Journal of Russian Law. 2017. No. 4. P. 100 - 105.

Shmeleva M.V. Prevention of corruption and other abuses in public procurement [text] / M.V. Shmelev // Russian law. 2018. № 1. C.6