

MONOGRAPHY

Anti-Corruption Legislation:

Trends and Development Prospects

A comparative analysis of anti-corruption legislative frameworks, their constitutionalization, digitalization, and normative prospects within the context of international legal standards and multilateral governance.

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**ANTI-CORRUPTION LEGISLATION:
TRENDS AND DEVELOPMENT PROSPECTS**

Monography

ED. BY CÁSSIUS GUIMARÃES CHAI

NOSSA MISSÃO: Desenvolver a investigação científica e contribuir para a formação de cidadãos(ãos) e líderes da sociedade nacional, através do compromisso irrevogável com as Artes, Filosofia, Ciência Política e Ciência do Direito em sua inseparável imanência social, numa abordagem transdisciplinar com todo o conhecimento, com a prática e com a transformação de mentalidades no alcance dos objetivos republicanos contidos no art. 3º, da Constituição Federal Brasileira de 1988;

I – Construir uma sociedade livre, justa e solidária;

II – Garantir o desenvolvimento nacional;

III – Erradicar a pobreza e a marginalização e reduzir as desigualdades sociais e regionais;

IV – Promover o bem de todos, sem preconceito de origem, raça, sexo, cor, idade e quaisquer outras formas de discriminação.

NOSSOS VALORES: Integridade; Resiliência; Respeito às diferenças.

NOSSA VISÃO: O papel da Universidade reside na compreensão, em primeiro lugar, das necessidades socioeconômicas e políticas de seu entorno e, considerando seu contexto, promovendo e provocando uma intervenção consciente, plural, cientificamente orientada na realidade, capaz de fortalecer a dignidade da pessoa humana, de forma sustentável, ética e inclusiva. Assim, o Grupo de Pesquisa (Estudos) Cultura, Direito e Sociedade atua como agente institucional dirigindo suas ações de estudos, investigações sociológicas e propostas afirmativas visando contribuir para a redução das desigualdades regionais, promovendo o respeito pela diversidade

cultural e o fortalecimento da identidade constitucional republicana e democrática, reconciliando ações de ensino, pesquisa e engajamento comunitário entre a academia, a visão global e a sociedade local. E, ainda, criar e manter as condições que permitam que seus integrantes experimem uma jornada educacional que seja intelectualmente, social e pessoalmente transformadora.

NOSSOS OBJETIVOS: Geral: Pesquisar no âmbito da área de Cultura, Direito e Sociedade questões sociais relacionadas com as linhas de investigação, visando contribuir para o processo histórico de reflexão, discussão e propostas políticas adaptadas às necessidades da sociedade local, transferindo conhecimento cientificamente sistematizado, permitindo a sua aplicação nos processos discursivos de formação e estabelecimento de prioridades para a governança democrática.

Específicos: Treinar, através de uma abordagem metodológica à investigação, pesquisadores iniciados na investigação científica, treinando-os na língua, procedimento e sistematização da atividade de investigação; Desenvolver projetos relacionados às linhas de pesquisa; Disseminar os relatórios de pesquisa de forma sistemática, permitindo um processo de reflexão com os fóruns de debates e a formação da opinião pública local; Estabelecer uma rede de informação com outros setores, centros, grupos e ou centros de pesquisa que reflitam objetivos semelhantes.

Quadro Teórico: Teorias Críticas e Deliberativas no Direito; Criminologia Crítica; Teoria Discursiva do Direito no viés Documentalista e Fenomenológico; Geopolítica e Direitos Humanos.

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DADOS INTERNACIONAIS DE CATALOGAÇÃO NA PUBLICAÇÃO (CIP) (CÂMARA BRASILEIRA DO LIVRO, SP, BRASIL)

Anti-corruption legislation: trends and development prospects / Truntsevsky, Yu. V. ... [et al.] ; edited by | Cássius Guimaraes Chai. — São Luís / Moscova : Cultura, Direito e Sociedade (DGP/CNPq/UFMA) : ILCL Press, 2026.

151 p.

Monograph.

Institute of Legislation and Comparative Law under the

Government of the Russian Federation.

ISBN 978-65-02-05979-1 | ISBN emitido pelo Grupo de Pesquisa Cultura,

Direito e Sociedade – DGP/CNPq/UFMA.

1. Legislação anticorrupção. 2. Direito comparado.

3. Administração pública. 4. Direito constitucional.

5. Federação Russa. 6. Governança digital.

I. Truntsevsky, Yu. V. II. Cherepanova, E. V.

III. Tsirin, A. M. IV. Matulis, S. N.

V. Sevalnev, V. V. VI. Matveev, V. V.

VII. Chai, Cássius Guimaraes, ed.

VIII. Institute of Legislation and Comparative Law under the Government of the Russian Federation.

DDD-345.02323

CDU-343.352:340.5

ISBN: 978-65-02-05979-1



9 786502 059791



OS TEXTOS SÃO DE INTEIRA RESPONSABILIDADE DE CADA AUTORA(A) POR SEU CONTEÚDO, REVISÃO E ESTRUTURA DE APRESENTAÇÃO.



Versão digital publicada em 2025. Disponível em:
https://doi.org/10.55658/gpcds_antikorruption_ilcl2026

**INSTITUTE OF LEGISLATION AND COMPARATIVE LAW
UNDER THE GOVERNMENT OF THE RUSSIAN FEDERATION**

ANTI-CORRUPTION LEGISLATION: TRENDS AND DEVELOPMENT PROSPECTS

Monography

ED. BY CÁSSIUS GUIMARÃES CHAI



**ИНСТИТУТ ЗАКОНОДАТЕЛЬСТВА
И СРАВНИТЕЛЬНОГО ПРАВОВЕДЕНИЯ
ПРИ ПРАВИТЕЛЬСТВЕ РОССИЙСКОЙ ФЕДЕРАЦИИ**



GRUPO DE PESQUISA



Moscow
2026

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Legislation on Combating Corruption: Trends and Prospects for Development: Monography // ed. by by Cássius Guimarães Chai. Institute of Legislation and Comparative Law under the Government of the Russian Federation

This publication continues the research cycle of the Institute of Legislation and Comparative Law under the Government of the Russian Federation, with the aim of providing scientific and educational support in the fight against corruption.

The scientific and practical guide reveals the main stages in the development of anti-corruption laws, analyzes current trends in their development in the context of the digitalization of anti-corruption efforts. The authors focus on the phenomenon of the constitutionalization of anti-corruption law, which affects the creation of an optimal system for its organization, as well as on the challenges of implementing its regulations at various levels of government.

A distinctive feature of this scientific and practical resource is the provision of a legal prediction for the future development of national legislation on combating corruption, based on an analysis of the implementation of international anti-corruption standards and the process of organizing domestic legislation in the Russian Federation.

For employees of the scientific and educational sector, government and municipal officials, practicing lawyers, educators, graduate students, and students of law schools and institutions.

ISBN

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INTRODUCTORY REMARKS ON ANTI-CORRUPTION LEGISLATION: TRENDS AND DEVELOPMENT PROSPECTS BY CÁSSIUS GUIMARÃES CHAI

We extend our profound gratitude to the distinguished scholars of the Institute of Legislation and Comparative Law under the Government of the Russian Federation for affording us the privilege of presenting these introductory observations to a Western readership. This comprehensive scholarly work represents a significant contribution to the global discourse on anti-corruption legal frameworks, offering meticulous analysis that transcends parochial boundaries and invites constructive comparative examination across jurisdictions.

The present volume emerges at a particularly significant moment in international legal development, when nations worldwide confront the evolving challenges of governance transparency, institutional accountability, and the integration of technological innovations into traditional legal frameworks. The authors have undertaken a systematic investigation of Russian anti-corruption legislation, revealing not merely the particularities of one national experience but broader patterns of legal evolution that resonate across diverse constitutional systems.

The methodological rigor evident throughout this work deserves particular commendation. Rather than presenting isolated legal provisions, the authors have constructed a comprehensive analytical framework that traces historical trajectories, examines constitutional foundations, explores multi-level governance dynamics, and projects future developments. This holistic approach enables readers to comprehend anti-corruption legislation not as static regulatory text, but as a dynamic institutional architecture responding to changing social, technological, and political conditions.

1 HISTORICAL EVOLUTION AND INSTITUTIONAL DEVELOPMENT

The historical analysis presented in this volume illuminates the gradual transformation of anti-corruption measures from punitive reactions rooted in imperial governance traditions to systematic institutionalization during the Soviet era and contemporary legislative consolidation. This evolutionary trajectory illustrates how legal frameworks evolve to accommodate changing state structures

while preserving essential continuities in combating the persistent manifestations of corruption.

Particularly noteworthy is the authors' documentation of the post-1991 developmental phases, beginning with initial executive decree-based approaches in the 1990s, progressing through comprehensive legislative frameworks in the 2000s, and culminating in the constitutional embedding of anti-corruption principles following the 2020 amendments. This periodization underscores the need for comprehensive temporal frameworks in legal systems to achieve institutional maturity and normative coherence.

The constitutional anchoring of anti-corruption norms represents a significant jurisprudential development that merits careful comparative attention. By elevating anti-corruption principles to constitutional status, the Russian Federation has established these norms as foundational elements of state architecture rather than merely administrative regulations. This constitutional embedding creates hierarchical legal relationships that strengthen enforcement mechanisms while establishing interpretive frameworks for lower-level legislation.

2 MULTI-LEVEL REGULATORY ARCHITECTURE

The volume's examination of federal, regional, and municipal legislative coordination reveals the complexities inherent in federal systems that attempt to maintain unified anti-corruption standards while accommodating local governance needs. The authors demonstrate that regulatory proliferation at the subnational level, while reflecting democratic participation and regional adaptation, can create implementation challenges that require systematic harmonization.

The analysis of regional legislative variation illustrates both the benefits and the challenges of decentralized governance. While constituent entities of the federation have developed innovative approaches tailored to local conditions, the resulting regulatory diversity sometimes produces inconsistencies that complicate enforcement and compliance. The authors' recommendations for consolidation and systematization offer valuable insights for federal systems worldwide facing similar coordination challenges.

Municipal-level implementation receives comprehensive treatment, acknowledging local governments as crucial sites of citizen-state interaction where corruption prevention requires specific attention. The discussion of model legislation, corruption risk mapping, and digital transparency tools demonstrates how theoretical frameworks require practical translation into implementable local policies.

3 TECHNOLOGICAL INTEGRATION AND DIGITAL GOVERNANCE

The volume's extensive treatment of digitalization represents one of its most forward-looking contributions. The authors demonstrate how technological innovations transform not merely the mechanics of compliance monitoring, but fundamental relationships between citizens and state institutions. Electronic declaration systems, automated risk detection algorithms, and integrated information platforms create new possibilities for transparency while generating novel regulatory challenges.

The discussion of systems such as Poseidon illustrates how technological infrastructure can enhance inter-agency coordination and reduce opportunities for regulatory evasion. However, the authors appropriately acknowledge that technological solutions require careful legal frameworks ensuring data protection, procedural fairness, and democratic accountability. The balance between efficiency gains and the protection of rights emerges as a central challenge for contemporary governance systems.

Particularly valuable is the analysis of regional innovations, such as those implemented in the Khanty-Mansiysk Autonomous Okrug, which demonstrates how technological adoption can significantly improve compliance rates while reducing administrative burdens. These practical examples provide concrete evidence for the potential benefits of digital governance approaches when properly implemented within appropriate legal frameworks.

4 CORPORATE SECTOR REGULATION AND COMPLIANCE

The treatment of private-sector anti-corruption obligations reveals the authors' understanding of corruption as a phenomenon that transcends traditional public-private boundaries. The analysis of organizational compliance requirements, codes of ethics, and whistleblower protections demonstrates how comprehensive anti-corruption strategies must address diverse institutional contexts while maintaining consistent normative standards.

The discussion of international standards such as ISO 37001 and their integration into domestic legal frameworks illustrates how global governance networks influence national regulatory development. The authors demonstrate sophistication in analyzing how international norms require adaptation to local legal traditions and institutional capacities rather than mechanical transplantation.

5 INTERNATIONAL DIMENSIONS AND COMPARATIVE PERSPECTIVES

The volume's treatment of international anti-corruption conventions and their domestic implementation provides valuable insights into the dynamic relationship between global governance and national sovereignty. The authors' analysis of Russia's withdrawal from specific European frameworks while maintaining participation in other international cooperation mechanisms demonstrates the complexity of contemporary international legal relationships.

The comparative analysis of anti-corruption approaches across different jurisdictions reveals both convergent trends and persistent diversity in regulatory strategies. The authors avoid simplistic best-practice prescriptions, instead acknowledging how effective anti-corruption frameworks must reflect specific institutional contexts, legal traditions, and governance cultures.

6 INTERSECTIONS WITH BRAZILIAN ANTI-CORRUPTION EXPERIENCES

The Russian experience documented in this volume offers several points of constructive intersection with Brazilian anti-corruption developments that merit scholarly attention across both jurisdictions. These convergences suggest opportunities for mutually beneficial comparative analysis and policy learning.

First, both nations exemplify the constitutional recognition of anti-corruption principles as fundamental governance values rather than merely administrative concerns. Brazil's constitutional framework, particularly following the 1988 Constitution and subsequent interpretive developments, shares with Russia's 2020 constitutional amendments an understanding that anti-corruption norms require foundational legal status to achieve systemic effectiveness. This constitutional embedding creates similar challenges in both jurisdictions regarding the balance between constitutional principles and implementing legislation, while establishing interpretive frameworks that influence all subsequent regulatory development. The comparative analysis of how constitutional courts in both nations interpret and apply these foundational anti-corruption principles could yield valuable insights into constitutional theory and practice.

Second, the federal coordination challenges documented in the Russian experience resonate strongly with Brazilian struggles to harmonize federal, state, and municipal anti-corruption efforts. Both nations confront the fundamental tension between maintaining unified national standards and accommodating sub-national diversity in governance approaches. Russia's experience with regional

legislative consolidation and Brazil's ongoing efforts to coordinate federal oversight with state-level implementation suggest parallel opportunities for institutional learning. The development of model legislation, inter-governmental cooperation protocols, and performance monitoring systems in both jurisdictions reflects similar recognition that effective anti-corruption governance requires sustained attention to multi-level coordination mechanisms.

Third, the technological transformation of anti-corruption enforcement documented in this volume parallels Brazilian innovations in digital governance and transparency platforms. Russia's implementation of automated declaration systems and integrated monitoring platforms shares conceptual foundations with Brazilian developments in electronic procurement systems, transparency portals, and digital accountability mechanisms. Both experiences demonstrate how technological infrastructure can enhance governance transparency while creating new requirements for legal frameworks protecting data privacy and procedural rights. A comparative analysis of how different legal traditions approach the integration of algorithmic decision-making within administrative law frameworks could significantly contribute to the emerging global discourse on digital governance.

Fourth, the corporate compliance frameworks analyzed in this volume intersect productively with Brazilian private sector anti-corruption initiatives, particularly following the implementation of the Lei Anticorrupção (Law 12,846/2013) and related regulatory developments. Both jurisdictions have developed comprehensive approaches that require private organizations to implement internal compliance systems and establish liability frameworks for violations of corporate corruption. The Russian emphasis on systematic organizational anti-corruption measures and Brazil's focus on corporate liability and remediation programs reflect different regulatory strategies addressing similar underlying challenges. A comparative analysis of enforcement patterns, compliance costs, and effectiveness measures across the two systems could inform ongoing policy development in both nations and contribute to a broader understanding of public-private governance relationships.

7 CRITICAL REFLECTIONS AND FUTURE DIRECTIONS

The volume's prospective analysis demonstrates remarkable sophistication in projecting future developmental trajectories while acknowledging inherent uncertainties in legal evolution. The authors' identification of consolidation, digitalization, and international coordination as primary developmental vectors reflects careful analysis of contemporary trends while avoiding deterministic predictions.

The discussion of emerging challenges, including the integration of artificial intelligence in compliance monitoring, the development of international cooperation mechanisms outside traditional European frameworks, and the evolution of public-private governance relationships, demonstrates forward-looking analytical sophistication. These projections provide valuable frameworks for ongoing research and policy development.

Particularly valuable is the authors' recognition that effective anti-corruption governance requires sustained cultural and educational transformation alongside legal and institutional change. The emphasis on anti-corruption education, public awareness campaigns, and the development of ethical governance cultures acknowledges that legal frameworks achieve effectiveness only within supportive social and political environments.

8 METHODOLOGICAL CONTRIBUTIONS AND SCHOLARLY SIGNIFICANCE

Beyond its substantive contributions to anti-corruption scholarship, this volume advances important methodological innovations in comparative legal analysis. The authors' integration of historical institutionalism, comparative constitutional analysis, and prospective policy projection creates analytical frameworks applicable across diverse national contexts.

The systematic treatment of cross-sectoral legal integration demonstrates how contemporary governance challenges transcend traditional disciplinary boundaries, requiring analytical approaches that can address administrative law, constitutional law, international law, and technology policy within coherent interpretive frameworks. This methodological sophistication models approaches that are valuable to legal scholarship addressing complex contemporary governance challenges.

The volume's combination of theoretical sophistication and practical policy relevance establishes standards for engaged legal scholarship that maintains analytical rigor while addressing pressing governance challenges. This balance between scholarly depth and policy utility represents an achievement worthy of emulation across comparative legal studies.

9 CONCLUDING OBSERVATIONS

This comprehensive analysis of Russian anti-corruption legislative development represents a significant contribution to global legal scholarship, one

that transcends its immediate national focus to offer valuable insights applicable across diverse jurisdictional contexts. The authors have demonstrated how careful institutional analysis can illuminate broader patterns of legal development while maintaining appropriate attention to specific contextual factors.

The work's integration of historical analysis, contemporary policy evaluation, and prospective projection provides analytical frameworks that are valuable to scholars and practitioners addressing anti-corruption challenges across diverse national contexts. The methodological sophistication evident throughout the volume establishes standards for comparative legal analysis that balance theoretical rigor and practical relevance.

For Western readers approaching this material, the volume offers opportunities to engage with sophisticated legal analysis that challenges simplistic assumptions about governance development while providing concrete insights into institutional innovation and adaptation. The authors' commitment to analytical objectivity and methodological rigor lays the foundation for constructive scholarly dialogue across different legal traditions and political systems.

We conclude with renewed gratitude to the authors for their scholarly dedication and generosity in providing opportunities for international academic engagement. Their contribution enriches global understanding of anti-corruption governance while modeling scholarly approaches that transcend parochial boundaries to address challenges confronting diverse constitutional democracies worldwide.

INTRODUCTION

In the context of the consistent implementation of constitutional principles over the past years, the basic branches of legislation have been significantly updated, complex branches are being actively formed, reflecting the novelty of legal impact on processes in the economic, social and political spheres.

The Constitution of the Russian Federation has given a powerful impetus to the development of legislation, the renewal of traditional industries and the emergence of new ones. The use of constitutional and legal regulation in the anti-corruption sphere attests to the importance of anti-corruption legislation for the state and society. This potential is clearly traced not only in the new constitutional provisions on the need to create conditions for strengthening mutual trust between the state and society (Article 75.1)¹, but also in the norms that establish requirements for persons holding public offices and a number of other positions related to the implementation of public administration functions².

In the doctrine, anti-corruption is characterized simultaneously as the activity of the state, public structures, the direction of state policy, the object and subject of legal regulation.³

At present, there is no single branch of anti-corruption legislation (an integral set of normative acts united by a single goal, common subject matter, and method of legal regulation). The norms of law aimed at combating corruption are located in various branches of law and are located in regulatory legal acts of various levels⁴.

Despite this, the anti-corruption legislation is still based on a certain systemic core, which is the basic Federal Law “On Combating Corruption”, as well as a system of stable links with other regulatory arrays, which allows us to draw an analogy with the category of “the active center of the branch of legislation”.⁵

According to legal scholars, anti-corruption legislation not only occupies a place within the legal system but also exhibits a distinctiveness that is of considerable interest to scientific research. The Institute of Legislation and Compar-

1 See: Thematic Commentary to the Law of the Russian Federation on the Amendment to the Constitution of the Russian Federation of March 14, 2020 No 1-FKZ “On Improving the Regulation of Certain Issues of the Organization and Functioning of Public Power” / T.Y. Khabrieva, A.A. Klishas. – Moscow. Norm: INFRA-M. 2020

2 For more details, see: Articles 77, 78, 81, 95, 97, 103, 110, 119, 129 of the Constitution of the Russian Federation.

3 See: Materials of the main report of Academician of the Russian Academy of Sciences T.Y. Khabrieva at the X-th Eurasian Anti-Corruption Forum “Constitutional and Legal Guidelines for Combating Corruption” // www.izak.ru

4 See: Rutskaya M.V., Kurochkina V.R. The Constitution of the Russian Federation as a Legal Basis for Combating Corruption // Human Rights: History, Theory, Practice. The Sixth All-Russian Scientific and Practical Conference. Collection of Scientific Articles. Editorial Board: V.V. Korovin (guest editor) [and others]. Kursk: Publishing House: Closed Joint-Stock Company “University Book”, 2017. P. 172.

5 For more details on the category of “active center of the branch of legislation” see: Shebanov A.F. System of Legislation as a Scientific Basis for Codification // Soviet State and Law. 1971. № 12. P. 34.

ative Law under the Government of the Russian Federation has been developing the concept of cyclical legal arrays⁶ for a long time. The research conducted allows us to attribute the Russian Federation's anti-corruption legislation to atypical cyclical regulatory legal arrays.

The first chapter of the scientific and practical manual (hereinafter referred to as the Manual) examines the main stages in the development of legislation on combating corruption. At the same time, special attention is paid to the constitutionalization of anti-corruption legislation, the development of an optimal model for its systematization, and its implementation at different levels of management.

The second chapter of the Manual analyzes the current trends in the development of anti-corruption legislation, which is considered as a cross-sectoral phenomenon of legislation. In addition, the development of anti-corruption legislation is studied in the context of digitalization of anti-corruption activities. activities to systematize anti-corruption legislation. The experience of legal regulation of combating corruption in foreign countries is also analyzed.

Based on a study of the implementation processes of international anti-corruption standards and the systematization of the Russian Federation's domestic legislation on combating corruption, the third chapter of the Manual formulates a legal forecast of the development of these standards.

This publication continues the series of studies by the Institute of Legislation and Comparative Law under the Government of the Russian Federation, aimed at clarifying the place and role of anti-corruption legislation in the Russian legal system⁷.

The authors hope that the approaches formulated in the scientific and practical manual for improving anti-corruption legislation and its practice will contribute to increasing the effectiveness of law-making and law enforcement.

6 For more details see: Khabrieva T.Ya., Chernogor N.N. Strengthening the Law and Order and Counteracting Corruption in the Context of Eurasian Integration. 2017. №1. Pp. 5-19; Khabrieva T. Y. Cyclic Normative Arrays in Law // *Journal of Russian Law*. 2019. № 12. Pp. 5–18.

7 For more details see: Report of acad. T.Y. Khabrieva at the plenary session of the X-th Eurasian Anti-Corruption Forum "Constitutional and Legal Guidelines for Combating Corruption" // www.izak.ru; Scientific and Practical Manual "Legislation in the Field of Combating Corruption: Conceptual Foundations and Place in the System of Russian Legislation": / D.A. Pashentsev, M.V. Zaloilo, A.M. Tsirin et al.; Ed. by Dr. Jurid. Sci., Prof. D.A. Pashentseva. Moscow, 2020. – 176 p.; The Concept of Consolidation of the Legislation of the Russian Federation on Combating Corruption: Scientific and Practical Manual / Ed. by Dr. Jurid. Sci., Prof. D. A. Pashentseva. – Moscow: Prospekt, 2021.

ISBN: 978-65-02-05979-1

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CHAPTER

1

MAIN STAGES OF DEVELOPMENT
AND LEVELS OF ANTI-CORRUPTION
LEGISLATION OF THE RUSSIAN FEDERATION

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MAIN STAGES OF DEVELOPMENT AND LEVELS OF ANTI-CORRUPTION LEGISLATION OF THE RUSSIAN FEDERATION

1 THE MAIN STAGES OF THE DEVELOPMENT OF THE LEGISLATION OF THE RUSSIAN FEDERATION ON COMBATING CORRUPTION

In the legal regulation of combating corruption in our country, various stages are distinguished: the tsarist, pre-revolutionary, and Soviet, each with its own characteristics.

In the Russian Kingdom and in the Russian Empire, manifestations of corruption were severely punished. In the Middle Ages, quartering⁸, wheeling⁹, being torn to pieces by the crowd,¹⁰ and other terrible executions were practiced.

A distinctive feature of the legal regulation of combating corruption in the Russian Empire was the emphasis not only on criminal-law measures but also on administrative and legal measures to counter its manifestations. For example, Emperor Alexander II introduced departmental books of civil ranks and became the founder of the system of control over the property status of civil servants. Not only information about salaries, awards, announced penalties, financial obligations (for example, renting apartments), but also other information characterizing the financial situation of persons occupying the relevant positions, as well as their spouses, was subject to entry into these books.

In the Soviet period, there was a consistent tightening of the responsibility of corrupt criminals, including their deprivation of rights¹¹. Alongside legal measures to combat corruption, a robust organizational framework was established. In the Criminal Code of the RSFSR of 1922. ¹² Bribery was equated with such grave crimes as counter-revolutionary actions, robbery and banditry, and was punishable by the highest penalty - shooting. On March 16, 1937, the Department of the Workers' and Peasants' Militia created a department for combating theft of socialist property, speculation, and bribery - OBKhSS.

8 Ivan IV considered the fight against corruption to be a matter of paramount importance and often held trials of bribe-takers himself. Ivan the Terrible betrayed this execution to a clerk who was tempted by a bribe in the form of a goose stuffed with silver coins.

9 In 1723, Peter I sentenced the former chief fiscal Alexei Nesterov, accused of embezzlement of three hundred thousand state rubles, to death by wheeling.

10 In 1648, Tsar Alexei Mikhailovich handed over to the people the head of the Zemsky Prikaz Pleshcheev, who imposed exorbitant exactions on the people.

11 Article 135 of the Constitution of the RSFSR of 1937 declared persons who encroached on public, socialist property to be enemies of the people.

12 Criminal Code of the RSFSR of 1922 // Collection of Laws of the RSFSR. 1922. № 15. Art. 153.

The Constitution of the USSR of October 7, 1977 provided for the functioning of the bodies of people's control, combining state and public control (Article 92). The article of the USSR Constitution also defined the competence of the bodies of people's control, which encompassed combating bureaucracy, manifestations of parochialism, waste, and mismanagement; the need to combat encroachments on socialist property; and any other attempts to deceive the state¹³.

The above indicates that Russia has a rich history of combating embezzlement, bribery, and other corruption-related crimes. In the context of the study, the starting point for the analysis is the date of the formation of the modern Russian state – December 25, 1991.

In the 90s of the XX century, the formation of anti-corruption legislation was slow. The first (initial) stage of the formation of anti-corruption legal regulation (1992-2002) was associated with the adoption of a significant number of decrees of the President of the Russian Federation. In particular, the following were adopted: Decree of the President of the Russian Federation No 361¹⁴, Decree of the President of the Russian Federation No 1189¹⁵, Decree of the President of the Russian Federation No 935¹⁶, Decree of the President of the Russian Federation No 101¹⁷, Decree of the President of the Russian Federation No 305¹⁸.

By Decree of the President of the Russian Federation No 361, new prohibitions were introduced in relation to employees of the state apparatus:

- a) to engage in entrepreneurial activities, including through intermediaries.
- b) to provide assistance to other persons not provided for by law in the implementation of these activities.
- c) engage in other paid work on a part-time basis¹⁹, etc.

In the Security Council of Russia, in accordance with the Decree of the President of the Russian Federation No 1189, the Interdepartmental Commission for Combating Crime and Corruption (hereinafter referred to as the Commission) was formed. Additionally, special units were established within the Ministry of Internal Affairs²⁰.

13 For more details see: Law of the USSR of November 30, 1979 No 1159-X "On People's Control in the USSR" // *Vedomosti of the Supreme Council of the USSR*. 1979. № 49. Art. 840.

14 Decree of the President of the Russian Federation of April 4, 1992 No 361 "On the Fight against Corruption in the System of Public Service" // ATP "ConsultantPlus".

15 Decree of the President of the Russian Federation of October 8, 1992 No 1189 "On Measures to Protect Citizens, Protect Law and Order and Strengthen the Fight against Crime" // *Collection of Acts of the President and Government of the Russian Federation*. 1992. №15. Art. 1157.

16 Decree of the President of the Russian Federation of 21.06.1993 No 935 "On Additional Measures to Ensure the Effective Work of the Interdepartmental Commission of the Security Council of the Russian Federation to Combat Crime and Corruption" // *Collection of Acts of the President and Government of the Russian Federation*. 1993. №26. Art. 2419.

17 Decree of the President of the Russian Federation of 24.05.1994 No 1016 "On Urgent Measures for the Implementation of the Federal Program of the Russian Federation to Strengthen the Fight against Crime for 1994 – 1995" // ATP "ConsultantPlus".

18 Decree of the President of the Russian Federation of April 8, 1997 No 305 "On Priority Measures to Prevent Corruption and Reduce Budget Expenditures in the Organization of Procurement of Products for State Needs" // ATP "ConsultantPlus".

19 For example, to perform other paid work on a part-time basis (except for scientific, teaching and creative activities).

20 Rapid Response Departments.

In accordance with the Decree of the President of the Russian Federation No. 935, the Commission was instructed to organize the development of a federal program to strengthen the fight against crime and corruption for 1994-1995 (hereinafter referred to as the Program). A department was also formed to support the activities of this Commission.

Presidential Decree No. 1016 approved the Federal Program of the Russian Federation to Strengthen the Fight against Crime for 1994-1995, which was characterized by an imbalance between measures aimed at combating crime and anti-corruption measures. In particular, corruption in the Program was mentioned only once in paragraph 12 of the Program, which instructed law enforcement agencies "... regularly carry out coordinated large-scale targeted operations to identify and suppress corruption." Thus, combating corruption was of subordinate importance and was addressed episodically, exclusively in the context of suppressing organized crime's corrupt ties.

The anti-corruption component of the legal regulation of procurement procedures was strengthened on the basis of the Decree of the President of the Russian Federation No 305²¹. The preamble of the decree under consideration establishes the suppression of abuses of office in the organization of public procurement. This Decree approved the Regulation determining the procedure for placing orders to purchase products for state needs, carried out by two categories of customers: state customers and certain types of legal entities.

Alongside the aforementioned decrees of the President of Russia, Federal Law No. 119-FZ of July 31, 1995, "On the Fundamentals of the Civil Service of the Russian Federation," was adopted during this period²². Article 11 of this Law introduced new restrictions and prohibitions in addition to the restrictions and prohibitions provided for by the Decree of the President of the Russian Federation No. 361²³.

It should be noted that, despite the adoption of numerous bylaws addressing specific aspects of anti-corruption activities, the initial development of legislation to combat corruption was very slow. This is clearly confirmed by the repeated rejections of various versions of the draft law "On Combating Corruption"²⁴. It seems that the long-term absence of a basic law on combat-

21 SZ RF. 1997. № 15. Art. 1756.

22 The law established a number of anti-corruption restrictions on civil servants, and also obliged them to submit annually to the state tax authorities information on the income received and property owned by them on the basis of taxable objects.

23 Receive honoraria for publications and speeches as a civil servant, receive remuneration from individuals and legal entities related to the performance of official duties, including after retirement. It was also forbidden to receive gifts, monetary rewards, loans, services, payment for entertainment, recreation, transportation expenses and other rewards.

24 The draft law of the Russian Federation of the same name, adopted in the first reading by the Supreme Soviet of the Russian Federation (Resolution of the Supreme Soviet of the Russian Federation of March 31, 1993 No 4718-I "On the draft law of the Russian Federation "On the fight against corruption" // Vedomosti SND RF and the Supreme Court of the Russian Federation), was rejected by the President after the Octo-

ing corruption was a strong deterrent to the development of legal regulation in this area.

The beginning of the second stage of the development of the legislation of the Russian Federation on combating corruption (2002-2006) can be considered the adoption of the Decree of the President of the Russian Federation V.V. Putin of August 12, 2002, No. 885 “On Approval of the General Principles of Official Conduct of Civil Servants”.²⁵ obligations to take the following measures: prevention and settlement of conflicts of interest; prevention of corruption; prevention of coercion of civil servants to participate in political activities.

A serious basis for improving anti-corruption measures was laid in the Concept of Administrative Reform in 2006-2010.²⁶ As a result of the administrative reform, system-wide anti-corruption measures were introduced, which enabled the streamlining of administrative procedures (actions) through the adoption of administrative regulations; the elimination of excessive administrative barriers to entrepreneurial activity; and the laying of the foundation for conducting anti-corruption expertise on regulatory legal acts and related projects. Interaction between civil servants and applicants; improve the quality and accessibility of public services, including through the introduction of multifunctional centers (MFCs); and introduce an electronic information exchange system.

Awareness of the problem of corruption as a serious threat to the basic principles of the state, law, and society,²⁷ and its recognition as a global problem contributed to the intensification of the formation of legal regulation of the fight against it, both at the universal and regional levels. A strong impetus for the third (2006–2012) stage of the development of anti-corruption legislation was the ratification of the 2003 UN Convention against Corruption and the 1999 Council of Europe Criminal Law Convention on Corruption.

The implementation of these Conventions’ provisions indicates that Russia is embarking on the path of developing a robust organizational and legal framework for combating corruption, including consideration of relevant GRECO recommendations²⁸.

By the Decree of the President of the Russian Federation of May 19, 2008 No. 815 “On Measures to Combat Corruption”,²⁹ a coordinating body was

ber events of 1993. In 1995, the State Duma adopted the Law “On Combating Corruption”, however, it was also rejected by the president. In 1998, President B.N. Yeltsin again submitted to the State Duma a new draft Law “On Combating Corruption”. After considering the project in the relevant committee of the State Duma, he recommended rejecting it.

25 SZ RF. 2002. № 33. Art. 3196.

26 Order of the Government of the Russian Federation of 25.10.2005 No 1789-r “On the Concept of Administrative Reform in the Russian Federation in 2006 - 2010” // SZ RF. 2005. № 46. Art. 4720

27 See: Khabrieva T. Y. et al. Legal Mechanisms for the Implementation of Anti-Corruption Conventions. Ed. by O. I. Tiunov. Moscow, 2012. P. 52.

28 On February 1, 2007, the Russian Federation joined the Group of States against Corruption (GRECO) and immediately followed the path of implementing the provisions of these conventions on the basis of 26 GRECO recommendations.

29 SZ RF 2008 No 21. Art. 2429.

established - the Council under the President of the Russian Federation for Combating Corruption, the main tasks of which are: preparation of proposals to the President of the Russian Federation regarding the development and implementation of state policy in the field of combating corruption; coordination of the activities of federal executive bodies, executive authorities of the constituent entities of the Russian Federation and local self-government bodies of municipalities for the implementation of state policy in the field of combating corruption; control over the implementation of measures provided for by the National Anti-Corruption Plan.

In 2008, the first National Anti-Corruption Plan for 2010 - 2011 was adopted (approved by the President of the Russian Federation on July 31, 2008, Pr-1568), which contained important instructions aimed at establishing the legal and organizational foundations of the Fundamentals of Combating Corruption in the Russian Federation. Thus, in accordance with the first National Anti-Corruption Plan, regulatory legal acts of fundamental importance for combating corruption, aimed at implementing the Federal Law "On Combating Corruption" and other regulatory legal acts of the Russian Federation on anti-corruption issues, as well as determining the procedure for interaction of the Presidential Directorate for Civil Service and Personnel with the personnel services of federal executive bodies and other state bodies during anti-corruption audits.

The above-mentioned recommendations of GRECO, proposed to the Russian Federation, called for the development of a National Anti-Corruption Strategy based on the National Anti-Corruption Plan, to apply to all levels of government (federal, regional, and local). At the same time, this Strategy was intended to be preventive, with particular emphasis on preventing corruption and ensuring transparency in public administration.

Practical recommendations included informing the public about the Strategy and measures for its implementation, as well as ensuring wider representation in the new Presidential Council for Combating Corruption in order to better reflect the interests of both regions and civil society³⁰. All the above GRECO recommendations were implemented by the Russian Federation as soon as possible. Thus, the Presidential Council for Combating Corruption included Corresponding Member of the Russian Academy of Sciences, Doctor of Law, and Professor T.Y. Khabrieva, as well as Doctor of Law and Professor L.I. Yakobson. Under the heads of the constituent entities of the Russian Federation, commissions were established as permanent coordinating bodies to oversee anti-corruption work in those entities.

30 For more details see: What is GRECO and its recommendations. Interview with the Minister of Justice of the Russian Federation A.V. Kononov, ed. Interfax // URL: <https://www.interfax.ru/interview/59915><https://www.interfax.ru/interview/59915>

The key milestone for this stage was the adoption of the basic Federal Law of December 25, 2008, No. 273-FZ “On Combating Corruption” (hereinafter referred to as Federal Law No. 273-FZ), which became the backbone center for domestic anti-corruption legislation, its legal basis, which combined a large number of interrelated laws and by-laws into a single regulatory array.

In accordance with Part 5 of Article 5 of Federal Law No. 273-FZ, special coordinating bodies are formed by decision of the President of the Russian Federation in order to ensure the coordination of the activities of federal executive bodies, executive bodies of the constituent entities of the Russian Federation and local self-government bodies in the implementation of state policy in the field of combating corruption.

Federal Law No. 273-FZ was adopted in a package with other draft laws introduced by the President of the Russian Federation, and thus, in 2008, the legislative regulation of combating corruption was given a systemic character.

Legislative changes that occurred in connection with the ratification of anti-corruption conventions and Federal Law No. 273-FZ covered almost all branches of legislation: civil service, criminal liability, administrative offenses, labor, civil legislation, etc., gifts, the value of which does not exceed three thousand rubles.

During the period under review, a special federal law on anti-corruption expertise was adopted³¹. This law was the first special legislative act that established the legal basis for assessing the corruption potential of regulatory legal acts, thereby enshrining the concept at the legislative level.

By the Decree of the President of the Russian Federation of April 13, 2010, No. 460, the National Anti-Corruption Strategy was approved, the purpose of which was to eradicate the causes and conditions of corruption. At the same time, the main tasks and directions for its implementation were determined.

In subsequent years, the President of the Russian Federation, in the National Strategy, set new priorities and approaches to combating corruption, thereby articulating the essence of the state’s anti-corruption policy for the corresponding period.

In 2012, Russia also ratified³² the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, the provisions of which have already been implemented by Federal Law No. 329-FZ of November 21, 2011.

The completion of the stage under consideration (2012) is associated with the completion of the process of implementing the provisions of these international anti-corruption conventions.

31 Federal Law of July 17, 2009 No 172-FZ “On Anti-Corruption Expertise of Regulatory Legal Acts and Projects of Regulatory Legal Acts” // Collected Legislation of the Russian Federation. 2009 No 29 art. 3609

32 Federal Law No. 3-FZ of February 1, 2012 “On the Accession of the Russian Federation to the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions”.

The fourth stage of the development of anti-corruption legislation (2012–2018) was marked by further refinement of the system of anti-corruption standards and improvements to measures of legal responsibility for corruption offenses. During 2006-2012, approximately 30 amendments were made to the text of the initially narrow Federal Law of December 25, 2008, No. 273-FZ “On Combating Corruption”, thereby extending anti-corruption standards to new areas. At the same time, new prohibitions and obligations were introduced, including the following:

- a) a ban on opening and maintaining accounts (deposits), keeping cash and valuables in foreign banks located outside the territory of the Russian Federation, owning and (or) using foreign financial instruments³³;
- b) the obligation to provide information on expenses³⁴;
- c) the obligation of organizations to take measures to prevent corruption³⁵.

It should be noted that during this period, the volume of regulatory prescriptions in the body of the Federal Law of 25.12.2008 No 273-FZ “On Combating Corruption” increased significantly. At the same time, the text of the initially small framework law was supplemented by 15 new articles, most of which expanded the list of anti-corruption obligations, restrictions, and prohibitions. In this regard, certain provisions may be mentioned.

It is also noteworthy that the main changes were, first, the extension of prohibitions, restrictions, and obligations characteristic of state civil servants to other types of service and, subsequently, to other categories of persons. anti-corruption requirements were scaled up among the circle of persons.

In order to implement the National Strategy and organize the implementation of Federal Law No. 273-FZ, the President of the Russian Federation approved the two-year National Anti-Corruption Plans for 2012-2013,³⁶ for 2014–2015³⁷, as well as for 2016–2017.³⁸

The activities of these National Anti-Corruption Plans were aimed at: improving the regulatory and organizational framework for combating corruption;

33 See: Federal Law of 07.05.2013 No 79-FZ “On the Prohibition of Certain Categories of Persons to Open and Have Accounts (Deposits), Keep Cash and Valuables in Foreign Banks Located Outside the Territory of the Russian Federation, Own and (or) Use Foreign Financial Instruments”.

34 See: Federal Law of 03.12.2012 No 230-FZ On Control over the Compliance of Expenses of Persons Holding Public Positions and Other Persons with Their Income.

35 See: Federal Law of 03.12.2012 No 231-FZ “On Amendments to Certain Legislative Acts of the Russian Federation in Connection with the Adoption of the Federal Law “On Control over the Compliance of Expenses of Persons Holding Public Positions and Other Persons with Their Income”.

36 See: Decrees of the President of the Russian Federation of March 13, 2012 No. 297 “On the National Anti-Corruption Plan for 2012–2013 and Amendments to Certain Acts of the President of the Russian Federation on Anti-Corruption Issues” (SZ RF. 2012. № 12. Art. 1391); of April 11, 2014 No 226 “On the National Anti-Corruption Plan for 2014–2015” (SZ RF. 2014. № 15. Art. 1729).

37 See: Decree of the President of the Russian Federation of April 11, 2014 No. 226 “On the National Plan for Combating Corruption for 2014–2015” // SZ RF. 2014. № 15. Art. 1729.

38 See: Decree of the President of the Russian Federation of April 1, 2016 No. 147 “On the National Anti-Corruption Plan for 2016–2017” // URL: <http://kremlin.ru/acts/bank/40657>

ensuring the implementation of legislative acts and management decisions in the field of combating corruption; activating civil society institutions in the field of combating corruption and anti-corruption education of citizens; and solving other problems.

Along with these changes, measures of legal responsibility for corruption offenses were improved. In particular, dismissal for loss of confidence was introduced into Federal Law No. 273-FZ³⁹. In addition⁴⁰, the Criminal Code of the Russian Federation differentiated the ⁴¹ elements of corruption offenses depending on the amount of bribery. In particular, the Criminal Code of the Russian Federation was supplemented with a new article 291.2 “Petty bribery” (receiving a bribe, giving a bribe personally or through an intermediary in an amount that does not exceed 10,000 rubles)⁴². A distinctive feature of the new corpus delicti of corruption was the combination of different aspects of bribery: giving and taking.

Thus, two main directions for the development of the normative legal array have emerged: administrative and criminal law. Studies conducted by the Institute of Legislation and Comparative Law under the Government of the Russian Federation ⁴³have shown that the optimal form of systematization of anti-corruption norms is consolidation.

The fifth stage (2018-2020) is associated with the process of consolidation of anti-corruption legislation. It dates back to 2018 and is marked by the task of systematizing legislation, which was set in the National Anti-Corruption Plan for 2018-2020⁴⁴, approved by the Decree of the President of the Russian Federation of June 29, 2018 No 378.

By this time, the Federal Law “On Combating Corruption” had turned into a consolidated act containing the relevant cross-sectoral norms on which the relevant anti-corruption legal sub-institutions are based, among which the following can be distinguished:

prohibitions, restrictions and obligations established for the purpose of combating corruption;

submission of information on property, income, expenses and property-related liabilities of certain categories of persons; control over the compliance of the expenses of persons holding public positions and other persons with their income;

39 For more details see: Loss of Trust under the Legislation of the Russian Federation: Scientific and Practical Manual / Yu.V. Truntsevsky, A.M. Tsirin et al.; Holes. Ed. by I.I. Kucherov. –

40 URL: <https://gossluzhba.gov.ru/reestr%20>

41 For more details see: Sundurova O.F. Problems of differentiation of responsibility for corruption crimes. Vestnik of the Volga University named after V.N. Tatishchev No 4. Volume 2. 2021. Pp. 84-91.

42 For more details see: Federal Law of 03.07.2016 No 324-FZ “On Amendments to the Criminal Code of the Russian Federation and the Criminal Procedure Code of the Russian Federation” // SZ RF. 2016. No 27 (Part II). Art. 4257.

43 The Concept of Consolidation of the Legislation of the Russian Federation on Combating Corruption: Scientific and Practical Manual / A. I. Abramova, M. V. Zaloilo, A. A. Dorskaya [i dr.]; Ed. by Dr. Yurid. Sci., Prof. D. A. Pashentseva. — Moscow: Prospekt, 2021. — 112 p.

44 Cm. Preamble.

- a) anti-corruption expertise of regulatory legal acts and draft regulatory legal acts; prevention and resolution of conflicts of interest;
- b) subsequent employment of state and municipal employees;
- c) dismissal due to loss of confidence;
- d) the obligation of organizations to take measures to prevent corruption; financial and legal institutions (means) of combating corruption; legal protection of persons reporting corruption⁴⁵.

The National Anti-Corruption Plan for 2018-2020 identified the urgent tasks of the state anti-corruption policy, including the development of legislative support for combating corruption. In particular, they included such measures as:

- a. improvement of the system of prohibitions, restrictions and requirements established for the purpose of combating corruption;
- b. ensuring the uniform application of the legislation of the Russian Federation on combating corruption in order to improve the effectiveness of mechanisms for preventing and resolving conflicts of interest;
- c. improvement of anti-corruption measures in the field of procurement of goods, works, services for state or municipal needs and in the field of procurement of goods, works, services by certain types of legal entities.

Ensuring a unified state anti-corruption policy requires a high degree of synchronization between the federal and regional levels of legal regulation of anti-corruption issues. It is recommended that interdisciplinary studies of the legislation of the constituent entities of the Russian Federation on combating corruption continue to identify the optimal approach to its content, provided that the “dominant” of federal legislation is preserved.

An analysis of the dynamics of the formation of the legislative framework for combating corruption in the constituent entities of the Russian Federation allows us to note the key role of regional anti-corruption laws, which, along with the basic Law,⁴⁶ are also characterized by a tendency to consolidation. However, in some constituent entities of the Federation, anti-corruption legislation is not sufficiently balanced, thereby complicating a comprehensive impact on regulated social relations. required further strengthening of basic regional laws by increasing their complexity.

The sixth stage of the development of anti-corruption legislation (2020–2022) is characterized by the constitutional consolidation of prohibitions and restrictions on corruption. As part of this stage, the norms aimed at combating corruption were enshrined not only in international anti-corruption conventions,

45 For more details see: Scientific Concepts of the Development of Russian Legislation: Monograph / edited by T.Y. Khabrieva, Y.A. Tikhomirov. IZiSP – 8th ed., revised and supplemented – Moscow: Norma, 2024. Pp. 525-547.

46 Federal Law “On Combating Corruption”.

in basic and special acts of national legislation, but also at a higher level – at the level of the country’s basic law.

By amending the ⁴⁷ Constitution of the Russian Federation, new⁴⁸ anti-corruption restrictions and prohibitions⁴⁹ were introduced. These anti-corruption provisions were incorporated into the current legislation through the adoption of:

- a) Federal Constitutional Laws: dated November 6, 2020 No 4-FKZ “On the Government of the Russian Federation”; of November 9, 2020 No 5-FKZ “On Amendments to the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”; of December 8, 2020 No 7-FKZ “On Amendments to Certain Federal Constitutional Laws”;
- b) Federal Laws: dated November 9, 2020 No 365-FZ “On Amendments to the Federal Law “On Security”; of December 8, 2020 No 394-FZ “On the State Council of the Russian Federation”; Federal Law No. 426-FZ of December 8, 2020 “On Amendments to Certain Legislative Acts of the Russian Federation” (amendments were made to the Law of the Russian Federation No. 3132-1 of June 26, 1992 “On the Status of Judges in the Russian Federation”); of 22.12.2020 No 439-FZ “On the Procedure for the Formation of the Federation Council of the Federal Assembly of the Russian Federation”; of December 22, 2020 No 437-FZ “On the Federal Territory “Sirius”, etc.

The study of the nature of these changes leads us to conclude that provisions containing anti-corruption standards are being consolidated by combining them into single structural units within the relevant laws that establish the legal status of persons holding those positions. Thus, anti-corruption prohibitions were systematized in the new Federal Constitutional Law of November 6, 2020 No 4-FKZ “On the Government of the Russian Federation” and are set out in a single Article 6, which is a legal model for the consolidation of the anti-corruption standard in the form of establishing a unified system of restrictions, prohibitions, and obligations. Currently, this approach is being scaled up to other legislative acts that regulate the legal status of persons holding state and municipal positions.

Alongside the establishment of consolidated anti-corruption standards, the issues of monitoring their implementation were also addressed, requiring the use of the national anti-money laundering system’s⁵⁰ capabilities

47 Law of the Russian Federation on the Amendment to the Constitution of the Russian Federation of March 14, 2020 No 1-FKZ “On Improving the Regulation of Certain Issues of the Organization and Functioning of Public Authority”.

48 For more details, see: Articles 77, 78, 81, 95, 97, 103, 110, 119, 129 of the Constitution of the Russian Federation.

49 A ban on having citizenship of a foreign state or a status granting the right to permanent residence in the territory of a foreign state; a ban on opening and maintaining accounts, keeping cash and valuables in foreign banks located outside Russia.

50 National System for Combating Money Laundering, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction (AML/CFT).

to strengthen cross-sectoral interaction between AML/CFT and anti-corruption legislation.

Modification of anti-corruption norms continues not only in the administrative and legal, but also in the traditional criminal law sphere. Thus, the definition of an official, which is contained in the note to Article 285 of the Criminal Code of the Russian Federation, has been significantly expanded. Now, such persons include the heads of any companies controlled by the state, including subsidiaries of state-owned companies and corporations.

Considering the above at the considered stage of the development of anti-corruption legislation, cross-sectoral institutions and sub-institutions, including those covering various levels of management, for example, the institution of loss of trust, became the embodiment and tool for the implementation of new regulatory tasks. This was largely facilitated by the “constitutional ascent” of anti-corruption standards, which provided “end-to-end” legal regulation.

The legal regulation for combating corruption in the Russian Federation, as it has developed to date, can be structured according to the levels of public authority. The system of anti-corruption legislation of the Russian Federation is as follows:

- a) constitutional level: the Constitution of the Russian Federation, federal constitutional laws ⁵¹implicitly containing the constitutional foundations of anti-corruption sub-institutions;
- b) federal level: consolidated Federal Law No 273-FZ; sectoral federal laws, other laws; model acts (frameworks, codes of conduct, policies);
- c) the level of the constituent entities of the Russian Federation and local self-government bodies: anti-corruption laws of the constituent entities of the Russian Federation; other regulatory legal acts⁵².

An important element of anti-corruption legal regulation is local acts of organizations, which constitute the largest share of the Russian Federation’s system of legal acts. In works on the theory of law, local regulatory legal acts are understood as “legal documents containing legal norms adopted by management entities in organizations of various forms of ownership and departmental affiliation”.⁵³

In addition, as part of the implementation of the National Anti-Corruption Plan for 2021-2024⁵⁴ in the regulatory sphere, it continued to solve the tasks of improving the system of prohibitions, restrictions and obligations established in

51 For example, the Federal Constitutional Law of 06.11.2020 No 4-FKZ “On the Government of the Russian Federation”

52 For more details, see: Scientific Concepts of the Development of Russian Legislation: Monograph / edited by T.Y. Khabrieva, Y.A. Tikhomirov. IZISP – 8th ed., revised and supplemented – Moscow: Norma, 2024. – 525-547 p.

53 Komarov S.A., Malko A.V. Theory of State and Law. Moscow, 1999. P. 317.

54 SZ RF. 2021. № 34. Art. 6170.

order to combat corruption in certain areas of activity; preventing and resolving conflicts of interest; improving the procedure for verifying the accuracy and completeness of information on income, expenses, property and property-related liabilities, etc.

The seventh stage of the development of anti-corruption legislation in 2022 is characterized by the expansion of the use of financial, legal, and information institutions to combat corruption through close cross-functional interaction. This, on the one hand, makes it possible to control illegal financial transactions involving not only public officials but also their affiliates and related persons. The establishment of an obligation to declare digital financial assets and digital currency⁵⁵. In addition, there is an increase in the use of information technologies to monitor compliance with anti-corruption standards⁵⁶; for example, Poseidon GIS enables automated anti-corruption checks.

Federal Law of 06.03.2022 No 44-FZ “On Amendments to Article 26 of the Federal Law “On Banks and Banking Activities” and the Federal Law “On Combating Corruption” supplemented the latter with Article 8.2. Control over the legality of receiving funds.” This law defined the mechanism for the return to the income of the Russian Federation of funds with respect to which the person occupying (holding) a position, the exercise of powers for which entails the obligation to provide information on income, property, and property-related obligations, did not provide information confirming the legality of their receipt.

Expanding the legal basis for the use of digital profiling and digital footprint for anti-corruption purposes will make it possible in the future to move to a system of assessment (scoring) of certain categories of persons, taking into account the compliance of these entities with the relevant restrictions, prohibitions and obligations that are established for the purpose of combating corruption, ethical standards, as well as requirements for official conduct.

The analysis allows us to conclude that, in the first stage of the development of domestic anti-corruption legislation, combating corruption was of secondary importance and was considered exclusively in the context of suppressing the corrupt ties of organized crime. At the same time, the implementation of administrative reform and ratification of international anti-corruption conventions laid the foundation for changing this approach and adopting normative legal acts. formulating the main directions of anti-corruption policy.

The adoption of the basic Law served to consolidate the initially disparate legal array into a separate legislative block, united by a single subject and

55 Federal Law of 31.07.2020 No 259-FZ “On Digital Financial Assets, Digital Currency and on Amendments to Certain Legislative Acts of the Russian Federation” // SZ RF. 2020 No 31 (part I) art. 5018.

56 See: for example, Decree of the President of the Russian Federation of April 25, 2022 No 232 “On the State Information System in the Field of Combating Corruption “Poseidon” and Amendments to Certain Acts of the President of the Russian Federation”

purpose of legal regulation. This laid the groundwork for the enactment of special legislative acts under the basic law, dedicated to specific areas of state anti-corruption policy.

The logical continuation of the development of anti-corruption legislation was the constitutional consolidation of anti-corruption standards, which gave rise to a wave of updating anti-corruption regulation, up to the subordination of financial, legal, and information and legal tools to the goals of combating corruption. Further development of anti-corruption legislation is evident in the expansion of the use of not only legal but also religious and ethical regulators, including the introduction of the institution of shame, as well as social engineering and cybernetics, to ensure control over established norms of behavior. Such an integrated approach will ensure a more comprehensive impact on the addressees of legislative norms on combating corruption, who will not only fear punishment, but also realize the futility of corrupt behavior not only from the standpoint of suffering negative consequences associated with the application of legal liability measures, but also due to the negative financial result (unprofitability) of corruption activities, as well as an extremely negative attitude of society and the state to persons who have committed corruption offenses.

2 CONSTITUTIONALIZATION OF COMBATING CORRUPTION

The scientific study of the constitutionalization of anti-corruption reflects not only the problem's relevance in the modern world but also a multifaceted, interdisciplinary approach to its analysis. Studies in the field of jurisprudence enable us to examine the constitutionalization of anti-corruption from the perspectives of legal regulation and the protection of institutional guarantees.

Constitutionalization of anti-corruption entails the incorporation of anti-corruption principles and mechanisms into the state's constitutional norms. This strengthens laws and institutions that contribute to the prevention and punishment of acts of corruption.⁵⁷

The impact of corruption on constitutionalism can be considered in three main directions. First, how the constitutional framework ensures the fight against corruption. The second line of analysis concerns the constitutional institutions established to combat corruption. What is their role and effectiveness? In the third direction of the study, an approach to the systematization of anti-corruption legislation is proposed.

⁵⁷ Madhvi Bhayani, *Challenges of Corruption and Good Governance: A Human Rights Perspective*. DOI: 10.7763/IPEDR. 2014. V71. 6.

The legal regulation of combating corruption consists of a system of levels, the main of which is the constitutional one.

The constitutional (basic) level⁵⁸ provides a democratic model for combating corruption⁵⁹. The assessment of the national legal framework for combating corruption is conducted through the prism of the constitutional framework, by establishing a “constitutional and legal system of bodies and actions that prevent corruption”⁶⁰.

As Academician of the Russian Academy of Sciences T.Y. Khabrieva rightly notes, anti-corruption permeates the relations that form the subject of constitutional law (the relationship between man and the state, the sphere of human rights, the organization and exercise of public power, ensuring the sovereignty and security of the state).⁶¹ Strengthening institutions that provide democratic checks and balances, bridging the gap between laws and their implementation, and supporting public freedom of the press are measures that can contribute to combating corruption⁶².

The Constitution is proposed to be considered “as a foundation, strategy, program, main legal mechanism, basis for the fight against corruption”⁶³; “the main anti-corruption regulator in Russia”⁶⁴.

According to Z. Tichote, based on the theory of purposivism (statutory interpretation), answering the question – what the purpose of the U.S. Constitution is, suggested that the U.S. Constitution was designed to fight corruption, “anti-corruption was then understood as the primary goal in its drafting... The Constitution Grew Out of the Problem of Corruption”⁶⁵. It is interesting that the same idea in relation to the Constitution of Russia was put forward by S.A. Avkayan: “the formation of a constitutional system free of corruption as the main goal of the Constitution Russia and our constitutional and legal regulation as a whole”⁶⁶.

58 Rogov A.S., Nesterov O.A. Constitutional Level of Legal Regulation of Combating Corruption in the Russian Federation. 2015. № 2. P. 182.

59 Actual problems of scientific support of the state policy of the Russian Federation in the field of combating corruption: sb. tr. po itogov Vseros. nauch. konf. / otv. red. V.N. Rudenko; red. K.V. Kiselev, E.A. Stepanova, V.V. Emikh. Yekaterinburg: In-t filosofii i prava Ural. otd-niya Ros. akad. Nauk, 2014. P. 160.

60 Avakyan S.A. Chapter 1. Constitutional Law of Russia as a Foundation for the Fight against Corruption. In: Combating Corruption: Constitutional and Legal Approaches: Collective Monograph. Editor and head of the team of authors, Doctor of Law, Professor Avakyan S.A. – M.: Justitsinform, 2016. P. 79.

61 See: report of acad. Khabrieva at the plenary meeting of the X-th Eurasian Anti-Corruption Forum “Constitutional and Legal Guidelines for Combating Corruption” in the article: Tsirin A. M., Cherepanova E. V., Matveev V. V. Constitutional and Legal Guidelines for Combating Corruption (Review of the Tenth Eurasian Anti-Corruption Forum) // Journal of Foreign Legislation and Comparative Law. 2021. T. 17. № 5. P. 127.

62 Coralie Pring and Jon Vrush. Tackling the crisis of democracy, promoting rule of law and fighting corruption. 29 January 2019. URL : https://www.transparency.org/news/feature/tackling_crisis_of_democracy_promoting_rule_of_law_and_fighting_corruption

63 Kogamov M. Sh. National System of Combating Corruption: Political, Organizational and Legal Foundations // Law and State. 2015. № 4. P. 49.

64 Ivanov A.A. Constitutional Foundations of Combating Corruption in the Russian Federation // Law and Modern States. 2016. № 4. With. 42.

65 Zephyr Teachout, Constitutional Purpose and the Anti-Corruption Principle, 108 Nw. L. Rev. Colloquy 200, 2014. p. 200.

66 Combating Corruption: Constitutional and Legal Approaches: Collective Monograph. Editor and head of the team of authors, Doctor of Law, Professor Avakyan S.A. – M.: Justitsinform, 2016. P. 8.

From the point of view of strict and rigid binding to the text (textualism is a way of interpreting the law⁶⁷), when studying the text of the constitutions of various countries for their fight against corruption, we will see in them both direct references to the fight against corruption (explicit approach) and implicit ones (the implicit approach of the legislator).

The fight against corruption in the text of the constitution is implicitly addressed by organizing the state through a constitutional structure; therefore, it is not always necessary to include explicit provisions prohibiting and combating corruption⁶⁸. However, a constitutional framework is well suited to addressing problems such as major corruption⁶⁹. In such cases, constitutional guarantees should be provided to bodies and institutions that monitor the actions of senior public officials. For example, the declaration of the 18th International Anti-Corruption Conference in Copenhagen in 2018 states that holding public office is not a right but a privilege. Those who hold public office should adhere to higher standards of conduct and should be required to disclose information about their financial transactions⁷⁰.

There is a growing trend toward the introduction of specific anti-corruption constitutional provisions in various countries' constitutions⁷¹. This applies to the provisions concerning the inviolability of public officials' corrupt conduct. So far, only a few constitutions adopted over the past two decades in developing countries specifically address this issue; for example, Kenya, Nepal, Pakistan, Singapore, Thailand, Uganda, and the Philippines have addressed corruption among high-ranking officials through constitutional measures.

The provisions of the Constitution of the Russian Federation, prior to the amendments⁷², did not include direct references to the fight against corruption. The amendments to the Constitution of the Russian Federation testify to the consistent legal formalization in the Russian legal order of a single national anti-corruption standard of restrictions, prohibitions, and obligations established for the purpose of combating corruption in relation to public officials, public authority,

67 To be guided by the text itself, and not by considerations and intentions external to it, by the original meaning of the text, and not by the meanings that it has acquired over time (see, for example, A. Marmor, *The Immorality of Textualism*. 38 *Loyola of Los Angeles Law Review* (December 2005).

68 Cm.: Olaya J., Hussmann K. *Preventing and Combatting Corruption: Good Governance and Constitutional Law in Tunisia*, Center for Constitutional Transitions Working Paper. 2013. URL: http://constitutionaltransitions.org/wpcontent/uploads/2013/06/6_Olaya_Hussmann_AntiCorruption.pdf

69 Cm.: Choudhry, Sujit and Stacey, Richard, *Combating Corruption: Constitutional Frameworks for the Middle East and North Africa* (2015). The Center for Constitutional Transitions, International IDEA and United Nations Development Program Reports: *Constitutional Design in the Middle East and North Africa* (2015).

70 See: *Copenhagen Declaration – Solidarity for Peace, Security and Development*. 18th International Anti-Corruption Conference in Copenhagen, 2018 URL: <https://iaccseries.org/blog/the-copenhagen-declaration-stand-together-for-peace-security-and-development/>

71 V., Esayan A.K. *Anticorruption and the Constitution. World, Regional and National Trends: Monograph.* – Moscow: Yurayt Publishing House, 2019. P. 47.

72 Law of the Russian Federation on the Amendment to the Constitution of the Russian Federation of March 14, 2020 No 1-FKZ "On Improving the Regulation of Certain Issues of Organization and Functioning of Public Power" // *Sobr. Legislation of the Russian Federation*. Federation. 2020. No 11, art. 1416.

its branches and institutions, and also make it possible to correlate national regulation in this area with universal standards.

The anti-corruption potential is evident in the new constitutional provisions on the need to create conditions for mutual trust between the state and society (Article 75.1), as well as in the norms that establish requirements for persons holding public office and for a number of other positions related to the implementation of public administration functions⁷³. In particular, such persons are prohibited from:

have citizenship of a foreign state or a status granting the right to permanent residence in the territory of a foreign state⁷⁴;

open and maintain accounts, keep cash and valuables in foreign banks located outside Russia⁷⁵.

The constitutional reform formed legal models for the systematization of anti-corruption restrictions, prohibitions and obligations. As such an example, we can cite Article 6 of the Federal Constitutional Law of November 6, 2020 No 4-FKZ "On the Government of the Russian Federation"⁷⁶, which for the first time systematized the restrictions and prohibitions related to filling the position of a member of the Government of the Russian Federation, as well as the requirements for a member of the Government of the Russian Federation. Currently, this legal decision is increasingly reflected in federal legislation that regulates the legal status of certain categories of persons.

In accordance with the provisions of Article 79 of the Constitution of the Russian Federation, decisions of interstate bodies adopted on the basis of the provisions of international treaties of the Russian Federation, in their interpretation contrary to the Constitution of the Russian Federation, are not subject to execution in the Russian Federation. The confrontation with Russia that subsequently arose among several Western states led to a global trend toward terminating the Statute of the Council of Europe and approximately 20 other international treaties, including Russia. denunciation of the 1999 Convention on Criminal Law of the Council of Europe on Corruption.

At the same time, the termination of Russia's participation in this European convention does not necessitate revising the national anti-corruption

⁷³ For more details, see: Articles 77, 78, 81, 95, 97, 103, 110, 119, 129 of the Constitution of the Russian Federation.

⁷⁴ The existence of a legal relationship with a foreign state, including in the form of citizenship or a residence permit or other document confirming the right to permanent residence of a citizen of the Russian Federation in the territory of a foreign state, allows for the possibility of a person having obligations to two states at the same time. This circumstance creates risks of a conflict of interest contrary to Russia's sovereignty. That is why the requirement that these persons do not have citizenship (nationality) of a foreign state is an important guarantee of the proper performance of their public functions.

⁷⁵ The arguments regarding the admissibility of establishing the requirement that a citizen of the Russian Federation has no political and legal ties with another state are equally valid in relation to the prohibition to open and have accounts (deposits), keep cash and valuables in foreign banks located outside the territory of the Russian Federation.

⁷⁶ *Sobr. Legislation of the Russian Federation*. Federation. 2020. № 45. Art. 7061.

standards developed in the Russian Federation during its participation in the convention. According to the Deputy Minister of Foreign Affairs of the Russian Federation O.V. Syromolotov, the forced “denunciation of the document does not mean the cessation of cooperation of the Russian Federation in the anti-corruption sphere within the framework of other formats and treaties... will not negate Russia’s efforts to improve anti-corruption legislation and law enforcement practice, and the implemented provisions of the treaty remain part of the country’s legal system.”⁷⁷

In this regard, it can be concluded that the provisions of the Constitution of the Russian Federation on anti-corruption and the national legal system define anti-corruption as a coherent principle of international law.

Thus, the analysis of the norms of international law on combating corruption allows us to identify two properties of anti-corruption: coherence and coherence.

Since the mid-1990s, the international community has recognized that corruption is a global problem, and anti-corruption is one of the most important international obligations of each state, which should be reflected in doctrine as a cogent norm.

There is no normatively defined list of *jus cogens* norms⁷⁸, but there is a widespread idea of the coherence of all principles of international law⁷⁹. Proceeding from the fact that anti-corruption can be recognized as a generally recognized principle of international law, it is also inherent in coherence (from the Latin *cohaerens* – “being in connection”) – interconnection: coherence (in philosophy) – the principle that everything that exists is interconnected.

As a global imperative, anti-corruption is a principle of international cooperation.

Corruption is particularly evident in regions⁸⁰. Therefore, the Constitution attaches great importance to the development of the legal foundations of the principle of local self-government, as an urgent measure to combat corruption and strengthen the image of the civil service at the local level. “The federal legislator, as a rule, delegates the legal regulation of procedural issues of the implementa-

77 URL <https://tass.ru/politika/17057167>

78 See: Shestakov L.N. Some Issues of Jus Cogens Norms in Modern International Law. Abstract of the Thesis for the PhD. Moscow, 1974. – 26 p.

79 See: L.N. Shestakov, Imperative Norms in the System of Modern International Law. Moscow: Moscow University Publ., 1981. – 120 p.; Aleksidze L.A. Some Issues of the Theory of International Law. Imperative Norms. Tbilisi: Tbilisi University Publishing House, 1982. – 406 p.; Chernichenko S.V. Relationship between imperative norms of international law and obligations erga omnes // Moscow journal of international law. 2012. № 3. Pp. 3–16 and others.

80 See, for example: Alekseeva L.G. Supervision over the execution of legislation on the state civil and municipal service, combating corruption. 2015. № 2. Pp. 13–16; Okuneva K. D. Implementation of measures to counteract corruption within the boundaries of municipalities. 2015. № 5. Pp. 130–132; Antonova N.A. Implementation of measures to counteract corruption within the boundaries of municipalities as a matter of local significance. 2016. № 1. Pp. 23–28; Bratanovsky S.N. Necessity of a System Approach to Combating Corruption in the State and Municipal Service. 2017. № 1. Pp. 103–108 and others.

tion of anti-corruption legislation to federal state authorities, state authorities of the constituent entities of the Russian Federation, local governments, management bodies of organizations and institutions.”⁸¹ “The legal basis for combating corruption consists of the norms contained in legal acts regulating the issues of state civil and municipal service, the status of individual state bodies of the constituent entities of the Federation, ensuring law-making activities, etc.”⁸².

The constitutional and legal ascent of anti-corruption norms creates new prerequisites for the doctrinal understanding of combating corruption as a strategic state task in new contexts:

- a) national interests and priorities;
- b) the foundations of the constitutional system;
- c) legal, including constitutional, ideology;
- d) constitutional value;
- e) the place and role of combating corruption in the mechanism of implementation (functioning) of public authority.

The constitutional reform of 2020 provided additional impetus to the systematization of anti-corruption legislation, thereby determining the main direction of its development in the coming years.

One of the examples of world practice on the constitutional and legal “strengthening” and systematization of the regulatory framework of the national anti-corruption system is the experience of Mexico.

On 27 May 2015, the Decree on the Reform and Addition of Various Anti-Corruption Provisions of the Political Constitution (of the United Mexican States) (Decreto por el que se reforman, adicionan y derogan diversas disposiciones de la Constitución Política de los Estados Unidos Mexicanos, en materia de combate a la corrupción) was promulgated⁸³.

This constitutional and anti-corruption reform defines the duties of civil servants, imposes sanctions on persons involved in acts of corruption, and establishes the National Anti-Corruption System. In particular, Article 109 of the Mexican Constitution addresses the liability of civil servants and other officials who have committed corruption acts, and Article 113 outlines the content of the National Anti-Corruption System.

As a result of these reforms, Mexico adopted the General Law on the National Anti-Corruption System of July 18, 2016 (Ley General del Sistema Nacional Anticorrupción (LGSNA)⁸⁴), the main objectives of which are:

81 Anti-Corruption Procedural Legislation of the Subjects of the Russian Federation: Collection of Normative Legal Acts. V.M. Baranov, I.I. Bikeev, P.A. Kabanov, R.R. Magizov, L.R. Khairutdinova. Moscow, Prospekt Publ., 2018. P. 4.

82 Khabrieva T. Ya., Andrichenko L. V., Tsirin A. M. [i dr.]. — Moscow: Prospekt, 2019. P. 13.

83 Political Constitution of the United Mexican States. URL: https://www.dof.gob.mx/nota_detalle.php?codigo=5394003&fecha=27/05/2015#gsc.tab=0

84 URL: <http://www.diputados.gob.mx/LeyesBiblio/pdf/LGSNA.pdf>

- a) creation of coordination mechanisms between various anti-corruption bodies in the Federation, constituent entities of the Federation, municipalities;
- b) the establishment of a minimum framework for the prevention of corruption and administrative misconduct;
- c) the establishment of a framework for the development of a comprehensive public policy in the fight against corruption, as well as the monitoring and control of public resources;
- d) development of basic guidelines for the coordination of authorities and competent bodies for the development of public policies in the field of prevention and detection, control, sanctions, deterrence and combating corruption;
- e) regulation of the organization and functioning of the national system, its Coordinating Committee and its executive Secretariat, as well as the creation of a basis for coordination among its members;
- f) establishing frameworks and policies to promote, develop and disseminate a culture of integrity in the public service, as well as accountability, transparency, control of public resources;
- g) the establishment of a continuous activity to ensure the integrity and ethical conduct of public servants, as well as the establishment of a minimum framework for each body of the Mexican State to establish an effective policy of public ethics and responsibility in public services;
- h) the establishment of the foundations of a national control system;
- i) formation of a minimum basis for the creation and implementation of electronic systems for the provision, exchange, systematization and updating of information generated by the competent bodies of state administration.

It was through the constitutional “ascent” of the National Anti-Corruption System that its legally built “framework” was formed, including:

- a) the Political Constitution of Mexico;
- b) secondary legislation (Law on the National Anti-Corruption System; General Act on Administrative Duties; Organic Law of the Federal Administrative Court; Law on Taxation and Accountability of the Federation; Organization Act of the Office of the Attorney-General of the Republic; Federal Penal Code; Organic Law of Federal Public Administration);
- c) international legal norms (Inter-American Convention against Corruption of the Organization of American States (OAS); Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organization for Economic Cooperation

- and Development (OECD); UN Convention against Corruption (UN);
- d) internal regulations related to the National Anti-Corruption System (Organic Statute of the Executive Secretariat of the National Anti-Corruption System; Guidelines governing the meetings of the Coordination Committee of the National Anti-Corruption System; Charter of the National Control System; Criteria for Coordination between the Members of the National Control System).

Thus, the analysis of the main directions of constitutionalization of the fight against corruption, using a comparative legal approach, enabled the formulation of several conclusions.

1. The constitutional novelties of 2020 demonstrate the expansion of the subject of constitutional regulation by including public relations related to combating corruption, which reflects the global trend in constitutional processes and in the evolution of the legal framework for combating this negative phenomenon. The number of countries whose constitutions include anti-corruption provisions is steadily increasing, confirming not only the persistence of this trend but also its upward trajectory.

2. The constitutional ascent of anti-corruption norms through the inclusion of anti-corruption norms in the text of the Constitution laid a solid foundation for the formation of a single anti-corruption standard in Russian legislation – restrictions, prohibitions, and obligations established for the purpose of combating corruption in relation to public officials, gave a new impetus to the improvement of anti-corruption legislation and its subsequent systematization.

3. From the point of view of the development of constitutional guidelines for combating corruption and anti-corruption legislative models, an approach to the systematization of Russian anti-corruption legislation⁸⁵ (“streamlining, bringing existing regulatory acts into a single, coordinated, integral system”)⁸⁶ based on the hierarchy is acceptable regulatory impact from the Constitution to the consolidation of the main anti-corruption legal institutions:

- a) recognition of combating corruption (anti-corruption) as a constitutional principle, with the reflection in the Constitution of the relevant

85 See, for example: Shishkarev S.N. The problem of systematization of the legislation of the Russian Federation in the field of combating corruption in the context of the adoption of the Federal Law “On Combating Corruption” // *Education. Science. Scientific Personnel*. 2010. № 1. Pp. 6–12; Tsirin A.M. Promising directions for the development of the legislation of the Russian Federation on combating corruption // *Journal of Russian Law*. 2011. № 2 (170). Pp. 12–24; Yunusov E.A., Kuchenev A.V. Improvement of Russian Legislation in the Course of State Anti-Corruption Policy // *Law and State: Theory and Practice*. 2016. № 9 (141). Pp. 11–16; Tolkachev K.B. Anti-corruption law and theoretical and legal issues of systematization of anti-corruption legislation of the Russian Federation // *Legal science and practice: Bulletin of the Nizhny Novgorod Academy of the Ministry of Internal Affairs of Russia*. 2017. № 3 (39). Pp. 10–16; Mikhailov V.I. Some Directions of Improving the Normative Legal Regulation of the State Anti-Corruption Policy Taking into Account the Requirements of International Anti-Corruption Treaties // *Journal of Foreign Legislation and Comparative Law*. 2017. № 4 (65). Pp. 15–23 and others.

86 Komarova A.I. Institutionalization of Anti-Corruption Law as a Complex Branch of the Legal System of Russia: Conceptual and Theoretical Aspect. Series 2: Legal Sciences. 2013. № 2 (3). Pp. 30–38.

legal position on corruption as a particularly dangerous act that destroys society and the state, undermines morality and public values⁸⁷;

- b) consolidation of the anti-corruption function of the state in the Constitution of the Russian Federation;
- c) constitutional consolidation of the obligation of a citizen of the Russian Federation to take measures aimed at preventing corruption;
- d) establishment of a unified system of prohibitions, restrictions and obligations to ensure the prevention of corruption in the relevant area.

4. The system of anti-corruption legislation of the Russian Federation, taking into account the constitutional and legal component, can be presented as follows:

- a) constitutional level: the Constitution of the Russian Federation, federal constitutional laws⁸⁸ implicitly containing the constitutional foundations of anti-corruption sub-institutions;
- b) federal level: consolidated Federal Law No 273-FZ; sectoral federal laws, other laws; model acts (frameworks, codes of conduct, policies);
- c) the level of the constituent entities of the Russian Federation: anti-corruption laws of the constituent entities of the Russian Federation; other regulatory legal acts;
- d) the level of local self-government bodies: municipal legal acts.

5. The main areas of development of the anti-corruption legislation of the Russian Federation may be as follows:

5.1. Increasing the role of the anti-corruption function of the state, taking into account the constitutional ascent of anti-corruption restrictions and prohibitions, to the level of the Basic Law (the constitutional and legal essence of the anti-corruption policy of the state), ensuring the structural completeness of the system of anti-corruption legislation, contributing to the strengthening of mutual trust between society and the state, as well as ensuring the formation of a unified system of prohibitions, restrictions and obligations aimed at prevention of corruption;

5.2. harmonization of anti-corruption provisions at the level of legislation of the constituent entities of the Russian Federation. Based on the fact that the relevant provisions of the Constitution of the Russian Federation in the new edition served as an impetus for the development of legislation in the field of combating corruption not only at the federal level, but also at the level of the

87 Khabrieva T.Y. Chosen works: v 10 t. T. 1: monography. Teleological (purposive) interpretation of Soviet law. Interpretation of the Constitution of the Russian Federation. Venetian Commission as a subject of interpretation of law. M., 2018. P. 429.

88 For example, the Federal Constitutional Law of November 06, 2020 No 4-FKZ "On the Government of the Russian Federation" // *Sobr. zakonodatel'stva Ross. Federatsii*. 2020, No. 45, Art. 7061.

constituent entities of the Russian Federation, it will be necessary to scientifically substantiate ways to improve anti-corruption institutions, which is taking place, including at the regional level.

3 DEVELOPMENT OF THE LEGISLATION OF THE CONSTITUENT ENTITIES OF THE RUSSIAN FEDERATION IN THE FIELD OF COMBATING CORRUPTION

The adoption of the Federal Law of 25.12.2008 No 273-FZ “On Combating Corruption” was an important step towards the formation of a legal and organizational framework for the anti-corruption system, not only at the federal, but also at the regional and municipal levels.

The legislation of the constituent entities of the Russian Federation plays an important role in the country’s legal system. Laws of the constituent entities of the Russian Federation are adopted in the areas referred by the Constitution of the Russian Federation to the joint jurisdiction of the Russian Federation and the constituent entities of the Russian Federation (Article 72) and must not contradict the Constitution of the Russian Federation and the norms of federal legislation.

The peculiarity of regional legislation lies in the fact that, accumulating the provisions enshrined at the federal level, it also reflects the characteristics and needs of each region, which makes it possible to take into account the specifics of its socio-economic, ethnic and cultural development. Normative legal acts adopted in the constituent entities of the Russian Federation regulate many aspects of society, such as the economy, health care, education, housing and communal services, etc.

Considering the anti-corruption legislation of the constituent entities of the Russian Federation, it should be noted that within the framework of the requirements of federal legislation, each constituent entity has developed its own system of legislative and by-laws, which has a sufficient degree of unification. Special anti-corruption laws have been adopted, anti-corruption requirements have been established for officials, state and municipal employees, and codes of ethics and official conduct are also in force. Organizational structures, such as commissions and other special anti-corruption bodies, have also been formed.

Special laws on combating corruption, including measures to prevent corruption, combat it, and minimize the consequences of corruption offenses, have been adopted in most constituent entities of the Russian Federation⁸⁹. As

⁸⁹ Law of the Bryansk Region of 11.07.2007 No 105-Z “On Combating Corruption in the Bryansk Region”, Law of the Republic of Karelia of 23.07.2008 No 1227-ZRK “On Combating Corruption”, Law of the Astrakhan Region of 28.05.2008 No 23/2008-OZ “On Combating Corruption in the Astrakhan Region”, Law of the Republic of Bashkortostan of 13.07.2009 No 145-z “On Combating Corruption in the Republic of

a rule, they include a wide range of provisions aimed at preventing, detecting and suppressing corruption offenses, as well as restoring the violated rights and legitimate interests of citizens and organizations, including: the main directions of the anti-corruption policy of the constituent entity of the Russian Federation, measures to ensure transparency and openness of the activities of government and management bodies, measures to prevent corruption and control its state, issues of organization and conduct of anti-corruption expertise of regulatory legal acts and their drafts, etc.

The experience of the Chukotka Autonomous Okrug, where the principal regional law is devoted exclusively to the prevention of corruption, is of particular interest here⁹⁰. According to Article 1 of the Law of the Chukotka Autonomous Okrug dated 16.04.2009 No 34-OZ “On the Prevention of Corruption in the Chukotka Autonomous Okrug”, the objectives of corruption prevention in the Chukotka Autonomous Okrug are:

- 1) identification, elimination of the causes that give rise to corruption, and counteraction of the conditions that contribute to its manifestation;
- 2) development and implementation of legal, organizational, and other mechanisms for combating corruption;
- 3) formation of anti-corruption public consciousness, characterized by intolerance of state civil servants, citizens, and organizations to corrupt actions;
- 4) improvement of personnel work in the system of anti-corruption measures;
- 5) improvement of the procurement system for state needs;
- 6) improving the legal culture of state civil servants of the Chukotka Autonomous Region;
- 7) involvement of civil society in the implementation of corruption prevention tasks;
- 8) establishment of a system of feedback with citizens, legal entities, public organizations, and the media on the prevention of corruption.

Appealing to the official portal of the Government of the Chukotka Autonomous Region⁹¹, allows us to establish that the regional legislation in the field of combating corruption includes, among other things, the Code of the Chukotka Autonomous Region of 24.02.2009 No 25-OZ “On Regulatory Legal Acts of the Chukotka Autonomous Region”. The Code establishes uniform requirements for

Bashkortostan”, Law of the Krasnoyarsk Region of 07.07.2009 No 8-3610 “On Combating Corruption in the Krasnoyarsk Region”, Law of the Republic of Sakha (Yakutia) dated 19.02.2009 668-Z No 227-IV “On Combating Corruption in the Republic of Sakha (Yakutia)”, etc.

90 The Law on the Prevention of Corruption was also adopted in the Voronezh Region, the Law of the Voronezh Region dated 12.05.2009 No. 43-OZ “On the Prevention of Corruption in the Voronezh Region”

91 Official portal of the Government of the Chukotka Autonomous Region / <https://xn--80atapud1a.xn--p1ai/vlasti/organy-vlasti/apparat-gubernatora-i-pravitelstva/protivodeystvie-korrupsii/norm-prav-akty-protiv-korrupsii/regionalnoe-zakonodatelstvo.php>

legislative acts and other regulatory legal acts of the Chukotka Autonomous Region, their preparation, introduction, consideration, adoption, publication, amendment, suspension, and termination (loss of force), legal and technical design of draft laws and drafts of other regulatory legal acts, and also determines the methods of resolving legal conflicts. At the same time, the Code pays attention to such issues as anti-corruption expertise, the corruption potential of regulatory legal acts or their drafts, the concept and types of corruption manifestations.

Such an approach seems to be justified, given that the district does not just give priority, and the main regional law is devoted to the prevention of corruption. After all, corruption, being a complex socio-economic phenomenon, can have many causes and ways of manifestation. One of these reasons may be an ineffective or non-transparent legislative framework, which provokes corruption. Normative legal acts, if they are created without considering the principles of transparency, accountability and responsibility, may contain conflicts, loopholes and double standards that can be used for corrupt actions.

In the constituent entities of the Russian Federation, in addition to regulatory legal acts, there are documents of a recommendatory nature. These include, for example, the standards of anti-corruption behavior of a state civil servant⁹², standards of anti-corruption work. Thus, the Standard of Anti-Corruption Work in the Executive Bodies of State Power of the Perm Territory⁹³, developed in order to assist in improving the efficiency of the executive bodies of state power of the Perm Territory in the field of combating corruption, is used in the organization of anti-corruption work in the Administration of the Governor of the Perm Territory, the Office of the Government of the Perm Territory, and the executive bodies of state power of the Perm Territory. The following are given (with an indication of specific articles, excerpts from federal, regional regulatory legal acts, methodological recommendations):

1) List of requirements for the executive bodies of state power of the Perm Territory established by the legislation of the Russian Federation in the field of combating corruption.

2) Monitoring compliance with the requirements for official conduct, settlement of conflicts of interest and information on income, expenses, property and property-related obligations

3) Ensuring the openness of the activities of the executive body of state power of the Perm Territory.

Various forms of applications related to the state civil service, aimed at meeting anti-corruption requirements and standards and preventing conflicts of

92 See, for example: Standard of Anti-Corruption Conduct for a State Civil Servant of the Novosibirsk Region / <https://kpk.rk.gov.ru/>

93 Approved by the decision of the Commission for the Coordination of Anti-Corruption Work in the Perm Territory (Minutes dated 26.06.2020 No 2)

interest, are presented⁹⁴. Flowcharts illustrating the action sequences for various anti-corruption activities and regulations are also presented^{95,96}.

Within the framework of the legislative initiatives of the constituent entities of the Russian Federation aimed at combating corruption, there is compliance with modern principles of delegation of powers between the Federation and its subjects. This legislation plays a key role in the development and implementation of the state's anti-corruption policy at the regional level⁹⁷. At the same time, the volume of regional anti-corruption legislation is significant.

For example, in 2023, 42 regional legal acts regulating anti-corruption issues were in force in the Rostov Region⁹⁸. In 2023, there were 30 legal acts in the Irkutsk Region and 24 in the Krasnoyarsk Territory. Such volumes create certain difficulties in their application and control.

First, due to the large number of documents, there are issues with their consistency and compatibility. Often, the norms governing various acts may conflict, making it difficult to interpret and apply them in practice. Additionally, changes in federal legislation require ongoing monitoring and timely amendment of regional legal acts. Thus, the Report on Anti-Corruption Activities in the Kaluga Region in 2023 indicates that, although legislation across the constituent entities of the Russian Federation has been formed, ongoing efforts are being made to improve it. In 2023, activities were conducted at various levels of government in the Kaluga Region to develop and adopt regulatory legal acts, including measures to improve the organizational framework for combating corruption. Existing regional regulatory legal acts in the field of combating corruption were aligned with federal legislation as necessary⁹⁹.

Secondly, a large number of legal acts require officials and specialists in anti-corruption to possess deep knowledge and skills in the analysis and appli-

94 For example: an application for consent to fill a position in an organization under the terms of an employment contract and (or) to perform work in this organization (provision of services to this organization) within a month worth more than one hundred thousand rubles under the terms of a civil law contract; a statement about the impossibility for objective reasons to provide information on the income, property and property obligations of one's spouse and minor children, etc.

95 For example: Flowchart of the Commission's Activities for Compliance with the Requirements for Official Conduct and Settlement of Conflicts of Interest, Flowchart of Employee's Actions when Receiving Remuneration (Gifts, Monetary Remuneration, Loans, Services, Payment for Entertainment, Recreation, Transportation Expenses and Other Remuneration) from Individuals and Legal Entities, Flowchart for Analyzing Information on Relatives of State Civil Servants for Affiliation in Procurement, etc.

96 For example: Regulations for monitoring the compliance of expenses of a person holding a public office (other person), expenses of his/her spouse and minor children with their total income, Regulations for checking compliance with the completeness and accuracy of information on income, property, property-related obligations.

97 Cm. Counteraction to corruption in the subjects of the Russian Federation: scientific and practical manual / edited by T. Y. Khabrieva. Moscow: Institute of Legislation and Comparative Law under the Government of the Russian Federation; POLYGRAPH-PLUS LLC, 2013 – 236 p.

98 2 Regional Laws, 28 Resolutions of the Government of the Rostov Region, 3 Orders of the Government of the Rostov Region, 4 Decrees of the Governor of the Rostov Region, 5 Orders of the Governor of the Rostov Region

99 Report on anti-corruption activities in the Kaluga Region in 2023 / <https://admoblkaluga.ru/obshchestvo-vlast/protivkorrupsii/doklady/doklady.php>

cation of these provisions. This can lead to errors in decision-making, inefficient resource use, and, as a result, reduced effectiveness of anti-corruption policy. A good example here is the untimely updating of information-on-information resources, which does not allow users to quickly familiarize themselves with comprehensive information on anti-corruption in the region. For example, on the official portal of the Krasnoyarsk Territory in the section “Regulatory legal and other acts in the field of combating corruption,” there is a decree of the Governor of the Krasnoyarsk Territory dated 08.12.2017 No 307-ug “On Approval of the Anti-Corruption Program in the Krasnoyarsk Territory for 2018-2020”. At the same time, the decree of the Governor of the Krasnoyarsk Territory dated 17.12.2020 No 347-ug “On Approval of the Anti-Corruption Program in the Krasnoyarsk Territory for 2021-2024” is already in force.

Thirdly, the complexity of the system of legal acts in combating corruption may create obstacles to public oversight of its implementation. Citizens and public organizations may experience difficulties in understanding and evaluating the actions of state bodies and officials in this area.

Thus, despite the importance and necessity of a wide range of legal instruments in combating corruption, their substantial volume requires ongoing analysis and optimization to ensure the effectiveness of anti-corruption measures and to simplify their implementation.

As a positive example of optimizing the processes under consideration, we will cite the experience of the Sverdlovsk Region. To address the issue of systematizing regional anti-corruption regulatory legal acts, the region implemented the idea of the Institute of Legislation and Comparative Law under the Government of the Russian Federation, consolidating more than two dozen decrees of the Governor of the Sverdlovsk Region into four in a modular format. messages, notifications, or statements provided for by anti-corruption legislation, the second – legal acts related to the work of the regional commission for the coordination of anti-corruption work, the third – verification of accuracy and completeness in relation to certain categories, and the fourth – issues of reporting income. We believe that such a model could be implemented in other regions of the Russian Federation as well. The study and assessment of the feasibility of applying this experience would be facilitated by the Ministry of Labor of Russia’s publication of a collection of best practices from the constituent entities of the Russian Federation in the anti-corruption sphere.

Special attention should be paid to anti-corruption legislation in the new regions of the Russian Federation. Since 2022, significant work has been undertaken to integrate them into the Russian legal system, including in the anti-corruption sphere. However, not everything has been done yet.

Thus, the Law of the Donetsk People’s Republic of February 22, 2024 No 57-RZ “On Combating Corruption in the Donetsk People’s Republic” (herein-

after referred to as the Law, Law No 57-RZ) requires adjustment. Paragraph 2 of Article 1 of the Law contains a provision according to which “for the purposes of this Law, the concepts used in the Federal Law and Federal Law No. 172-FZ of July 17, 2009 “On Anti-Corruption Expertise of Regulatory Legal Acts and Draft Regulatory Legal Acts” shall be applied. The fundamental legal act in combating corruption is Federal Law No. 273-FZ, which establishes uniform concepts and definitions applicable throughout the territory of the Russian Federation. In this regard, it is proposed to amend Clause 2 of Article 1 of Law 57-RZ, stating that “for the purposes of this Law, the legal framework and basic principles of combating corruption established by the Federal Law “On Combating Corruption”, as well as the basic concepts used in the said Federal Law, shall apply.

The Law of the Lugansk People’s Republic of July 17, 2015 No 45-II “On Combating Corruption” was last amended in 2018.¹⁰⁰ There were no other changes, including those related to joining the Russian Federation¹⁰¹. According to Article 3 of Law No 45-II, the legal basis for combating corruption is the Constitution of the Lugansk People’s Republic, laws, generally recognized principles and norms of international law and international treaties of the Lugansk People’s Republic, this Law, regulatory legal acts of the Head of the Lugansk People’s Republic, as well as regulatory legal acts of the Council of Ministers of the Lugansk People’s Republic, regulatory legal acts of state authorities and regulatory legal acts of bodies local self-government.

Thus, neither the Constitution of the Russian Federation nor Federal Law No. 273-FZ is included in the legal framework for combating corruption in the Lugansk People’s Republic, necessitating appropriate adjustments.

In the Kherson and Zaporozhye regions, there is no basic law of the constituent entity of the Russian Federation on anti-corruption issues. In the Kherson region, there are orders of the Governor on various aspects of anti-corruption activities¹⁰². In the Zaporizhzhia region - the Decree of the Governor of the Zaporizhzhia region of October 24, 2023 No 57-u “On the Commission for the coordination of anti-corruption work in the Zaporizhzhia region”.

The “Anti-Corruption” sections of the websites of state authorities are not yet properly filled. Not everywhere even hotlines are listed, where you can report facts of corruption, somewhere the relevant sections are still completely empty, they are under development. In this regard, it seems necessary for the federal center to provide the requisite methodological and advisory assistance to the new constituent entities of the Russian Federation to enhance the effectiveness of their implementation of the state’s anti-corruption policy. Particular attention

100 Law of the Lugansk People’s Republic of 08.11.2018 No 278-II

101 Official Internet portal of the People’s Council of the Lugansk People’s Republic / URL: <https://nslnr.su/zakonodatelstvo/normativno-pravovaya-baza/1713/>

102 URL: <https://khogov.ru/documentation/docs-korrupt/docs-korrupt-orders/>

should be paid to anti-corruption education for state and municipal civil servants, as well as for citizens.

In the context of anti-corruption education, it should be emphasized that combating corruption is not limited to the enactment of legislation. An important aspect is preventive work to increase the level of legal awareness among state, civil, and municipal employees, as well as among the population, including the promotion of anti-corruption norms of conduct, education, and upbringing, and the creation of conditions for the formation of an anti-corruption lifestyle. Within the framework of the current National Anti-Corruption Plan for the period 2021-2024, the key task is to strengthen the effectiveness of awareness-raising, educational, and other activities, whose purpose is to develop anti-corruption behavior among employees, disseminate anti-corruption standards in society, and deepen public legal awareness.

The study has shown that anti-corruption education, as one of the tools for combating corruption, is to some extent enshrined in the regional anti-corruption legislation of a small number of constituent entities of the Russian Federation. The organization of anti-corruption education in the constituent entities of the Russian Federation is regulated by various regulatory legal acts.), in others – Anti-Corruption Education Programs (Republic of Karelia¹⁰³, Chuvash Republic¹⁰⁴), in others – regional Anti-Corruption Education Plans (Orenburg Region¹⁰⁵). The fundamental aspects of anti-corruption education are, as a rule, enshrined in the basic law of the constituent entity of the Russian Federation on combating corruption¹⁰⁶.

Based on approved strategies, plans, and programmes, a significant number of relevant activities are carried out annually across the constituent entities of the Russian Federation. For example, in 2023, the Sverdlovsk Region held its ninth anti-corruption marathon, timed to coincide with International Anti-Corruption Day. The marathon was attended by public authorities and other civil society institutions. Among the events of the marathon was a competition for children's drawings and explanatory and informational work. The main goals of the marathon are to provide citizens with legal and anti-corruption education,

103 Order of the Government of the Republic of Karelia dated 10.12.2019 No 846r-P On Approval of the Anti-Corruption Program of the Republic of Karelia for 2020-2024

104 Order of the Cabinet of Ministers of the Chechen Republic of 14.01.2022 No 6-r "On Approval of the Program for Anti-Corruption Education in the Chuvash Republic for 2022 - 2024"

105 Order of the Ministry of Health of the Orenburg Region dated 21.02.2024 No 4 "On Approval of the Anti-Corruption Education Plan"

106 See, for example: Law of the Belgorod Region dated 19.02.2024 No 354 "On Combating Corruption in the Belgorod Region", Law of the Kaliningrad Region dated 26.05.2017 No 73 "On Combating Corruption in the Kaliningrad Region", Law of the Republic of Altai dated 05.03.2009 No 1-RZ "On Combating Corruption in the Altai Republic", Order of the Head of the Administration of the Lipetsk Region dated 27.09.2021 No 462-r "On Approval of the Anti-Corruption Plan in the Lipetsk Region for 2021 - 2024", Order of the Governor of the Amur Region dated 28.09.2021 No 197-r "On Approval of the Action Plan for Combating Corruption in the Amur Region for 2021 - 2024".

promote a “zero tolerance” approach to corruption, and popularize standards of anti-corruption behavior¹⁰⁷.

A positive example of the organization of anti-corruption education activities is the approval of the regional strategic directions for anti-corruption and youth education in the Rostov region¹⁰⁸.

It should ¹⁰⁹be noted that the strategic directions enshrine not only general issues related to anti-corruption education and the education of young people in the Rostov region, but also specific forms of such education (by age categories), as well as the mechanisms for their implementation. The region has also adopted the Strategy for Anti-Corruption Education and Youth Education in the Rostov Region for the period until 2030¹¹⁰.

The integration of children and young people into continuing education and anti-corruption education seems to be an important aspect in the fight against corruption. This is because these age groups have a high potential to counter corruption. They are not yet involved in corrupt practices, demonstrate a strong sense of justice, and strive for self-realization by developing their talents, abilities, and knowledge.

Returning to the issues of regional anti-corruption programs and plans, it should be noted that they do not fully reflect the possibility of employing all

107 Action Plan (“Road Map”) of the IX Anti-Corruption Marathon / URL: https://adm-sosva.ru/sgo/sgo_antikor/sgo_antikor/

108 Minutes of the meeting of the Commission for the Coordination of Anti-Corruption Work in the Rostov Region dated May 23, 2023 No 2 / <https://www.donland.ru/documents/17798/>

109 Main directions: ensuring the participation of educational organizations, other organizations of various organizational and legal forms and forms of ownership, the goals of which correspond to the goals and objectives of these Strategic Directions, in anti-corruption education and enlightenment based on the unity of goals, objectives and principles; improving the effectiveness of the activities of public authorities of the Rostov region in the field of anti-corruption education and enlightenment in order to improve the legal culture of citizens and anti-corruption propaganda; introduction of a unified methodology of anti-corruption education and enlightenment in the activities of educational organizations; expanding the system of legal education for children and young people; development of the organizational and legal framework for combating corruption; periodic research and monitoring of the effectiveness of anti-corruption education and awareness; participation in solving problems to ensure information security.

110 Decree of the Government of the Rostov Region dated 20.11.2023 No 830. The main objectives of the Strategy for Anti-Corruption Education and Youth Education in the Rostov Region until 2030 are: the formation of the organizational and legal framework for anti-corruption education and youth education in the Rostov Region in accordance with the anti-corruption legislation and the National Anti-Corruption Strategy, approved by the Decree of the President of the Russian Federation of 13.04.2010 No 460; support for anti-corruption initiatives of the Governor of the Rostov Region, public authorities in the Rostov Region, educational organizations located in the Rostov Region; study, analysis and assessment of the level of real need of various groups of young people in the study of anti-corruption activities; development of young people’s need and interest in anti-corruption activities through the use of active, innovative forms and methods of education focused on a specific level of education; popularization of the state anti-corruption policy among young people; legal education and the formation of a legal culture of young people, the promotion of an anti-corruption model of behavior among children and youth; moral education of young people, cultivation of high moral and ethical standards and values among young people, promotion of the principles of fair competition; increasing the effectiveness of activities aimed at anti-corruption education and popularization of anti-corruption standards among young people, taking into account the priorities of the National Anti-Corruption Plan for 2021-2024; assistance in the volunteer activities of young people aimed at combating corruption offenses; development of proposals for improving state policy in the field of combating corruption; assistance to educational organizations, public authorities in the Rostov region, whose competence includes issues of prevention and combating corruption, in minimizing corruption in all spheres of public life.

available forces and means for implementation. In particular, they provide practically no indicators of the effectiveness of anti-corruption education in a particular subject of the Russian Federation; in this regard, the possibility of control over its implementation is minimal.

The analysis showed that each constituent entity of the Russian Federation, in accordance with federal legislation, has its own system of legislation and bylaws for combating corruption. Regulatory legal acts of the constituent entities of the Russian Federation provide for additional measures to combat corruption, establish more detailed rules and procedures related to the formation of anti-corruption policy, the organization of work on preventing corruption, and control over its state. However, the significance of their array requires the systematization of relevant legislation and the ongoing analysis of legal acts to ensure the timely introduction of necessary changes and additions, thereby ensuring the effective implementation of anti-corruption measures. The relevant work is being carried out in the constituent entities of the Russian Federation; best practices need to be generalized to further disseminate them.

It is advisable to pay greater attention to raising citizens' legal awareness, anti-corruption education, and the training of state and municipal employees, since the fight against corruption consists not only in the adoption of legal acts but also in their effective implementation. To do this, laws must be understandable and accessible to the general public. It is also important to cultivate a culture of morality and responsibility in which corruption is perceived as unacceptable rather than as part of everyday life.

4 LEGAL REGULATION OF COMBATING CORRUPTION AT THE MUNICIPAL LEVEL

Federal anti-corruption legislation plays an important role in combating corruption at all levels of government, including the municipal level.

Municipalities develop and approve legal acts aimed at fulfilling the requirements of Federal Law No. 273-FZ and act within the framework of regional legislation on combating corruption. Based on analyses of aspects of their activities vulnerable to corruption, municipalities develop comprehensive programs and action plans to prevent and combat corruption, including training modules, information campaigns, and initiatives to promote intolerance of corruption in society.

Thus, Article 15 of the Law of the Sverdlovsk Region of February 20, 2009 No. 2-OZ "On Combating Corruption in the Sverdlovsk Region" provides for the following forms of participation of local self-government bodies of munic-

ipalities located in the Sverdlovsk Region in the field of combating corruption in the Sverdlovsk Region: adopt targeted programs for the prevention of corruption; conduct anti-corruption expertise of municipal regulations and projects of municipal regulatory legal acts, anti-corruption monitoring; improve the organization of municipal service; participate in the formation of intolerance to corrupt behavior in society; organize informing citizens about the activities of local self-government bodies and about the municipal services provided by them; create anti-corruption advisory bodies; take other measures to combat corruption in the Sverdlovsk Region in accordance with federal laws. Local self-government bodies of the Tyumen Region participate in implementing the anti-corruption policy in accordance with the powers established by federal and regional legislation¹¹¹.

Thus, within the framework of municipal bodies' anti-corruption activities, two types of measures can be distinguished: general (the adoption of municipal legal acts) and organizational measures, whose purpose is to prevent corruption.

An important element of implementing federal anti-corruption legislation at the municipal level is training and supporting an anti-corruption culture among municipal employees and citizens. This may include conducting training programs, seminars, and training on ethics, anti-corruption, and conflict-of-interest rules.

As a rule, a municipality's anti-corruption plan includes a list of anti-corruption measures, indicating the responsible authorities and implementation deadlines. In most cases, the terms of such plans cover the same period as the current National Anti-Corruption Plan. Thus, the Action Plan for Combating Corruption in the Municipality of the City of Nizhny Tagil for 2021-2024 (approved by the Decree of the City Administration of September 16, 2022 No 1717-PA), the Action Plan for Combating Corruption in the Petropavlovsk-Kamchatsky Urban District for 2022-2024 (approved by the decision of the City Duma of the Petropavlovsk-Kamchatsky Urban District of December 22, 2021 No 1096-r), the Anti-Corruption Plan in the Perm City Administration for 2021-2024 (approved by the order of the Perm City Administration dated October 26, 2021 No 113), etc. The Plan of Main Anti-Corruption Measures in the Administration of the ZATO of Severomorsk for 2023-2024, approved by the Decree of the Administration of the ZATO of Severomorsk dated December 20, 2022 No 2356, along with the issues of combating corruption in the municipal service, interaction with citizens and

111 Based on the powers presented, the activities of local self-government bodies of the Tyumen Region in the field of combating corruption are formed in several directions: 1) adoption of municipal legal acts on combating corruption (this can also include the adoption of anti-corruption programs, anti-corruption plans, etc.); 2) conducting an anti-corruption examination of municipal legal acts and their drafts (as well as establishing the procedure for its conduct); 3) implementation of anti-corruption monitoring; 4) creation of advisory and expert bodies for combating corruption; 5) anti-corruption propaganda (including the organization of anti-corruption education, the formation of intolerance to corrupt behavior in society; informing citizens about the activities of local self-government bodies, etc.).

civil society institutions, also contains a list of measures aimed at anti-corruption propaganda, the formation of an intolerant attitude to corruption in society, and information support for the implementation of anti-corruption policy in the closed city of Severomorsk. The sections “Combating Corruption in Work with Property”, “Improving the Transparency and Efficiency of the Provision of Municipal Services and Public Services under the Delegated Powers” were singled out as independent sections.

However, in several municipalities, local anti-corruption plans have different validity periods from those of the federal plans. For example, in the municipalities of the federal city of St. Petersburg, anti-corruption action plans are designated as a time period from 2023 to 2027.¹¹², which is fully consistent with the norms of regional legislation, where the Decree of the Government of St. Petersburg dated 27.12.2022 No 1337 “On the Action Plan for Combating Corruption in St. Petersburg for 2023 - 2027” is in force. However, that, for example, the Action Plan for Combating Corruption in the Intracity Municipal Entity of the Federal City of St. Petersburg Municipal District No 54 for 2023-2027¹¹³ contains such a provision providing for the introduction of additions (changes) to the Action Plan as the identification by the prosecutor’s office, law enforcement and regulatory bodies of corruption offenses in the activities of local governments, municipal budget Institutions. We believe that when identifying the indicated offenses, it is necessary to take appropriate law enforcement measures, while making adjustments to anti-corruption action plans is not required here, since such plans, as a rule, contain general areas of activity aimed at identifying, preventing and suppressing corruption.

Model legislation was used at the end of the XIX century to create a uniform legal regulation that determines the general principles of laws on any issue. Currently, it is actively used within the framework of integration associations of states, such as the CIS. The creation of a legal act does not imply the definition of general contours, but the development of a full-fledged, balanced one, in a document with a clear formulation of articles and provisions¹¹⁴.

Model legal acts, as a rule, are developed at the level of the constituent entities of the Russian Federation to support and ensure the uniformity of municipal legislative and law enforcement practice.

In 2023, the Ministry of Regional Policy and Mass Communications of the Rostov Region provided methodological assistance to local self-government

112 See: Action Plan for Combating Corruption in the Intracity Municipal Formation of the Federal City of St. Petersburg Municipal District Narodny for 2023 - 2027 (approved by the decision of the Municipal Council of 15.03.2023 No 5), Action Plan for Combating Corruption in the Intracity Municipality of the Federal City of St. Petersburg Municipal District Nevskaya Zastava, for 2023-2027 (approved by the decision of the Municipal Council of 30.03.2023 No 01/07), etc.

113 Approved by the decision of the Municipal Council of January 18, 2023 No 1/2

114 Tikhomirov Yu.A. Course of Comparative Law. P. 91.

bodies in preparing municipal legal acts. For this purpose, a model municipal legal act was developed in the form of a decision of the representative body of the municipality, which regulates the procedure for reporting by persons holding municipal positions about the occurrence of a personal interest in the performance of official duties, which leads or may lead to a conflict of interest. This model legal act was sent to the heads of local administrations of all municipalities of the Rostov region for use in their work¹¹⁵.

The Government of the Kurgan Region and the state authorities of the Kurgan Region, which carry out sectoral or intersectoral management, have also developed several model acts¹¹⁶. Model legal acts for local governments in the field of combating corruption in the Trans-Baikal Territory have been developed in the following areas: on the procedure for conducting an anti-corruption examination of regulatory legal acts and their drafts, on the procedure for posting information of persons holding the positions of heads of administration, on the procedure for submitting information by the head of a municipal institution and their verification and posting on the website, the Regulation on the Commission for the Settlement of Conflicts of Interest and etc¹¹⁷.

The experience of model lawmaking appears sound and should be extended to subjects of the Russian Federation that have not yet implemented it. Model legislation, despite its advisory nature, contributes to the effectiveness of legal regulation and strengthens the rule of law¹¹⁸.

At the municipal level, by analogy with the federal and regional levels, anti-corruption standards are developed and implemented, and are advisory in nature. The standard is a set of requirements and recommendations for local self-government bodies, local bodies, for example, election commissions of municipalities, established by the anti-corruption legislation of the Russian Federation, and is intended to establish uniform approaches to the organization and implementation of the function of prevention of corruption and other offenses¹¹⁹.

115 Report on anti-corruption activities and the results of anti-corruption monitoring in the Rostov region at the end of 2023 / <https://www.donland.ru/result-report/2107/>

116 For example, the model act "On the procedure for making a decision on the application of liability measures to a deputy of the representative body of the municipality of the Kurgan Region, a member of the elected body of local self-government of the Kurgan Region, an elected official of local self-government of the Kurgan Region, who submitted inaccurate or incomplete information on income, expenses, property and property-related obligations", the model act "On the procedure for notifying the Head of the Municipal of Formation by Municipal Employees on the Conflict of Interest or the Possibility of Its Occurrence", etc. / <https://www.kurganobl.ru/modelnye-municipalnye-normativnye-pravovye-akty-v-sfere-protivodeystviya-korruptcii>

117 URL: <https://pkrf.75.ru/deyatel-nost/modelnye-pravovye-akty-dlya-organov-mestnogo-samoupravleniya-v-sfere-protivodeystviya-korruptcii>

118 Shestakova E.V. Model Legislation: Theoretical and Legal Aspects and Practice of Application: Abstract of the Dissertation for the Degree of Candidate of Legal Sciences: Spec. 12.00.01 / Russian Academy of Justice. - Moscow, 2006. - 23 p. Pp. 3, 9.

119 See, for example: Standard of Anti-Corruption Work in Local Self-Government Bodies, Apparatus of Election Commissions of Municipalities of the Perm Territory / <https://www.permkrai.ru/information-income/metodicheskie-materialy/>

The completeness and legality of the municipal regulatory framework are indispensable conditions for ensuring the rule of law and the unity of the legal space. The task of local authorities is to promptly respond to all changes to federal and regional regulatory legal acts and to bring the municipal legal framework into alignment with them. And such work is carried out everywhere.

Based on the 2023 Anti-Corruption Activities Report for the Kaluga Region, municipalities in the region implemented measures to improve anti-corruption legislation during the reporting period. Local self-government bodies adopted municipal legal acts related to the regulation of such areas of anti-corruption activities as: organization of work to prevent corruption offenses in subordinate the city administration of municipal organizations, notification of the representative of the employer (employer) of the facts of applying for the purpose of persuading a municipal employee of the administration of municipal districts, the activities of the commission for compliance with the requirements for official conduct and settlement of conflicts of interest of persons holding municipal positions, etc.¹²⁰

However, as practice shows, at present, the facts of non-compliance of municipal regulatory, legal, and local acts with the requirements of federal and regional legislation continue to be widespread.

Thus, corruption factors associated with:

- 1) with the consolidation of the acts of municipal rule-making:
 - a. provisions not provided for by federal legislation or not corresponding to it;
 - b. abstract formulations regarding the definition of the competence of local self-government bodies (organizations, their officials) according to the formula “has the right”;
- 2) with the unjustified establishment of exceptions from the general procedure for citizens and organizations at the discretion of local self-government bodies or organizations (their officials);
- 3) with the absence in the acts of municipal rule-making:
 - a. the procedure for the performance of certain actions by local self-government bodies or organizations (their officials) or one of the elements of such a procedure;

¹²⁰ See: Resolution of the Administration of the City of Obninsk dated 13.11.2023 No 2816-p “On Approval of the Regulation on the Organization of Work on the Prevention of Corruption Offenses in Municipal Organizations Subordinate to the Administration of the City of Obninsk”; Decision of the District Assembly of the Municipal Entity “Kozelsky District” dated 08.09.2023 No 506 “On Approval of the Procedure for Notifying the Representative of the Employer (Employer) of the Facts of Appeal for the Purpose of Inducing a Municipal Employee of the Administration of the Municipal District “Kozelsky District” to Commit Corruption Offenses”; Decision of 20.07.2023 No 200 “On Approval of the Regulation on the Commission for Compliance with the Requirements for Official Conduct and Settlement of Conflicts of Interest of the Head of the Municipal District “Khvastovichsky District”, Deputies of the Municipal District “Khvastovichsky District”, Other Persons Holding Municipal Positions”; Resolution of the Administration of the Municipal District “Borovsk District” dated 01.11.2023 No 1836 “On Approval of the Register (Map) of Corruption Risks of the Administration of the Municipal Entity of the Municipal District “Borovsk District”.

- b. terms, conditions, or grounds for decision-making;
- c. reference norms to specific regulatory legal acts of the federal level;
- 4) with the adoption of a regulatory legal act outside the competence of local self-government bodies or organizations (their officials).

The presence of the designated corruption-causing factors in the rule-making documents creates the possibility of arbitrary choice by officials of local self-government bodies and municipal organizations of the norms to be applied.

For example, the Prosecutor's Office filed a protest with the Council of Deputies of the Serpukhov Urban District against the Regulation on Income and Expenses¹²¹, based on which it follows that at the time of the audit, this municipal legal act did not contain the amendments introduced by Federal Law No 12-FZ, which corrects the issues of submission of information on income, expenses, property and property-related obligations (hereinafter referred to as information on income) by deputies of representative bodies of municipalities. exercising their powers on a non-permanent basis.

At¹²² the same time, such restrictions were introduced by Article 12.1 of Federal Law No 273-FZ, and their regulation does not fall within the competence of local self-government bodies. Only the list of positions to which the restrictions established by this norm apply.¹²³

Another reason for the adoption of response measures is the inaction of certain local self-government bodies in terms of the development and implementation of measures to prevent corruption.

Part 1 of Article 13.3 of Law No. 273-FZ requires organizations to develop and implement measures to prevent corruption. Violation of the principle of priority application of such measures is evidenced by the absence of relevant regulatory, legal, and local acts in several local governments and municipal organizations¹²⁴.

121 Protest dated 28.06.2023 No 7-02-23 on the Regulation on the submission by citizens applying for municipal positions, positions of the municipal service of the Serpukhov Urban District of the Moscow Region, persons holding municipal positions, and municipal employees of the Serpukhov Urban District of the Moscow Region of information on their income, expenses, property and property obligations, as well as information on income, expenses, property and property obligations the nature of their spouse and minor children, approved by the decision of the Council of Deputies of the Serpukhov Urban District dated 25.10.2022 No 484/53.

122 Order of the Head of the Dmitrov City District dated 02.08.2021 No 470-RG "On Measures to Implement Certain Provisions of the Federal Law dated 25.12.2008 No 273-FZ "On Combating Corruption" and on the Invalidation of Certain Orders of the Head of the Dmitrov Municipal District".

123 Review of typical violations and shortcomings identified in the course of monitoring the activities of local self-government bodies of municipalities of the Moscow Region for the prevention of corruption offenses / <https://gurb.mosreg.ru/protivodeistvie-korruptcii/doklady-otchety-obzory-statisticheskaya-informaciya/obzor-narushenii-zakonodatelstva-o-protivodeistvii-korruptcii/12-09-2023-08-56-31-obzor-tipichnykh-narusheniy-i-nedostatkov-vyyavlen>

124 Cm. Read more: Review of Violations of Anti-Corruption Legislation in Local Self-Government Bodies of Municipalities of the Moscow Region, Which Served as the Basis for the Introduction of Acts of Prosecutorial Response in the 2nd Half of 2023 / <https://gurb.mosreg.ru/protivodeistvie-korruptcii/doklady-otchety-obzory-statisticheskaya-informaciya/obzor-narushenii-zakonodatelstva-o-protivodeistvii-korruptcii/11-04-2024-11-37-53-obzor-narusheniy-zakonodatelstva-o-protivodeystvii>

In accordance with federal law, municipal employees must provide information on their income, expenses, property, and liabilities. This helps prevent potential corruption. However, at the municipal level, there are often difficulties collecting certificates and other documents confirming the accuracy of the information provided. This may be caused by both the inaccessibility of the relevant municipal district from the nearest settlement, where the documents can be obtained, and by municipal employees' lack of awareness of certain anti-corruption requirements and of the need to complete the relevant certificates. The solution to this issue lies in increasing municipal employees' legal literacy through training seminars and the use of modern digital technologies. In the following chapters, the role of digital technologies in combating corruption will be examined in greater detail. We will limit ourselves to one example within the framework of the topic under consideration.

From 2023 in the Khanty-Mansiysk Autonomous Okrug – Yugra, from 2023, the introduction of automation and digitalization in the process of submitting information on income, its reception and analysis using a special software module – the state information system for personnel management of the Khanty-Mansiysk Autonomous Okrug – Yugra¹²⁵ – has significantly accelerated the process of providing certificates, increased the speed of their processing and primary analysis. As a result, the number of violations of the law related to the provision of inaccurate income information by persons holding municipal positions in Ugra has decreased. It was possible to prevent formal violations in every third certificate¹²⁶.

Corruption risk maps are tools for assessing and classifying potential corruption risks in a society or organization. They help identify areas with a high probability of corruption and develop strategies to prevent or reduce it. the function performed by the body (organization) (actions to implement it), corruption risks and a brief description of a possible corruption scheme, potential negative consequences (damage, harm), the name of the unit and position, the replacement of which is associated with corruption risks, the level of corruption danger (significant, medium, insignificant), measures to minimize (name of the measure, term, responsible person).¹²⁷

In municipalities, especially with small populations, there are often strong family and other ties between employees of local bodies and organizations, which is understandable and, in itself, not an offense. However, the presence of such

125 The relevant changes were made by the Law of the Khanty-Mansiysk Autonomous Okrug - Yugra dated 28.09.2023 No 88-oz "On Amendments to Certain Laws of the Khanty-Mansiysk Autonomous Okrug - Yugra"

126 Official Internet portal of the Department of State Civil Service, Personnel Policy and Corruption Prevention of the Khanty-Mansiysk Autonomous Okrug – Ugra / <https://depgs.admhmao.ru/>

127 See, for example: Map of corruption risks and measures to minimize them, approved by the decision of the Commission for the Coordination of Anti-Corruption Work in the Perm Territory (Minutes dated 26.06.2020 No 2); Map of corruption risks of the Department of Education of the Administration of the Municipal District "Sosnogorsk", approved by the order of the Department of Education dated 30.10.2020 No 360 (OD)

ties can lead to a conflict of interest, unfair practices, and increase the likelihood of corruption. Corruption risk maps help identify potential vulnerabilities and prescribe, in advance, an action plan to prevent corruption, making them an effective tool in the fight against corruption and helping ensure transparency in the work of municipal bodies and organizations.

A key aspect of implementing anti-corruption policy at the municipal level is strengthening engagement with the public and developing public control mechanisms. One of the tools for such interaction is conducting an independent anti-corruption examination of the municipality's draft legal acts.

However, analysis of municipal portals showed that this tool is not being used. For example, in the Turin urban district of the Sverdlovsk region for 2023 - May 2024, only one expert opinion was received based on the results of the examination, although during the indicated period, draft legal acts on such important issues as the activities of preschool institutions, housing and communal services, the provision of subsidies, etc., were considered.¹²⁸ We believe that in order to increase interest in the institution of independent anti-corruption expertise not only at the municipal, but also at the federal and regional levels, the Ministry of Justice of the Russian Federation needs to develop and implement a set of incentive measures, which may include financial and other incentives for independent experts.

It is impossible to ignore the need for a tool to prevent corruption that is not yet sufficiently widespread at the municipal level, such as a municipal district rating. For the rating, several indicators are considered, including the timely adoption and introduction of amendments to municipal legal acts, the transparency and openness of local government activities, and the availability and effectiveness of municipal anti-corruption programs.

The Ulyanovsk region's experience with rating municipal districts is positive. The Department for the Implementation of the Unified State Policy in the Field of Anti-Corruption, Prevention of Corruption and Other Offenses of the Administration of the Governor of the Ulyanovsk Region continues to implement the project "Animated Anti-Corruption Map of the Ulyanovsk Region" in 2024 as part of the implementation of the regional program "Anti-Corruption in the Ulyanovsk Region". The map reflects the degree of organization of anti-corruption work in local governments. The rating is based on quantitative data, analyzing the effectiveness of the components of the organizational system for combating corruption in municipalities in the Ulyanovsk region. According to the results for the first three months of 2024, municipalities that have reached 70 or more points (Pavlovsky District, Sursky District, Tsilninsky District) were classified as a "green

¹²⁸ Anti-Corruption Expertise / URL: <https://turinskgo.ru/article/show/id/1047>

zone” characterized by a high level of organization of anti-corruption work. The rest of the municipalities of the Ulyanovsk region are classified as the “yellow zone”, where the situation in the field of anti-corruption can be noted as stable¹²⁹.

The rating of municipalities in combating corruption is designed to stimulate local governments’ activities, increase the effectiveness of measures to prevent corruption offenses, and involve the population in these activities. In addition, such a rating fosters healthy competition among municipal districts in combating corruption, thereby encouraging them to implement new anti-corruption measures and to improve the quality of their work in this area.

In conclusion, municipal legal acts occupy an important place in the hierarchy of legal acts in the field of combating corruption, and their improvement and alignment with federal and regional legislation require ongoing efforts. The use of technologies such as model lawmaking and the introduction of corruption risk maps at the municipal level is of particular importance, as it helps ensure the transparency of anti-corruption activities and the unity of criteria and mechanisms used by municipalities. Modern information technologies are designed to enhance operational efficiency and reduce violations of legal acts in the fight against corruption. At the municipal level, this is of particular importance because it enables training, improves anti-corruption education, and facilitates the issuance of certificates and other documents required for municipal employees to meet anti-corruption requirements, including those in remote areas of the country.

5 IMPLEMENTATION OF ANTI-CORRUPTION STANDARDS IN ORGANIZATIONS

The corporate sector, like many other areas, is subject to corrupt influences that pose significant risks to enterprises of various organizational and legal forms. At the level of individual organizations, corruption significantly reduces organizational efficiency and the quality of products and services, damages reputation, and, when customers and potential partners receive negative information about the company, can lead to a loss of trust. This results in financial losses, including reductions in the partner and client base, investment volume, and an increase in indirect costs.

Thus, rumors of a company’s corrupt practices can seriously undermine its image, and bribery during tenders and contracts can lead to the hiring of unqualified contractors. Risks to the company also include significant material losses arising from potential corruption allegations¹³⁰.

129 In the Ulyanovsk region, the results of anti-corruption work in municipalities for the 1st quarter of 2024 were summed up / URL: <https://anticorrupt.ulgov.ru/news/post2291/>

130 For more details, see: T.Y. Khabrieva. Combating Corruption: International Dimension and Foreign Experience / Combating Corruption in Organizations: International and National Standards: Materials of the Ninth Eurasian Anti-Corruption Forum (Moscow, April 15, 2020) / ed. by T.Y. Khabrieva, I.I. Kucherov, A.M. Tsirin,

There can be many reasons for the emergence of corrupt practices in organizations, including, for example, the state of corporate culture and ethical standards that contribute to their dissemination; lack or absence of effective internal controls and regular audits; salary level that does not meet the expectations of the company's employees; weak sanction component, including for potentially corrupt acts; non-transparency or complexity of procedures with a significant corruption risk.

To increase the transparency of their activities, Russian companies can implement measures for public reporting and conduct transparent business practices. The publication of reports, including information on financial indicators and anti-corruption measures implemented, allows stakeholders to obtain a comprehensive picture of the organization's activities. Among other things, many companies are developing and implementing systems for transparent tendering and procurement. This reduces the risk of corruption schemes and increases trust among partners and customers. Establishing anonymous channels for reporting violations, such as hotlines, enables employees and other stakeholders to report corruption safely.

In the current conditions of continuing globalization, it is not only states, in accordance with the fundamental principles of their domestic legislation, that are taking measures to prevent corruption in the private sector and to strengthen accounting and auditing standards¹³¹. Organizations themselves also face high demands to comply with international anti-corruption standards. These standards significantly affect the development and implementation of anti-corruption policies and practices in both state-owned and private Russian companies. They are designed to ensure honesty and transparency in business practices and, in general, to have a significant impact on corporate governance and other internal processes, as well as on public perception of the company.

One important tool in combating corruption is the implementation of anti-corruption management systems in accordance with ISO 37001¹³². This international standard provides specific recommendations and requirements for the development, implementation, maintenance, and improvement of management systems to prevent corruption. The implementation of¹³³ ISO 37001 by Russian companies entails developing internal anti-corruption policies, conducting staff training, and conducting regular audits. Particular attention is paid to the creation of mechanisms for assessing and managing bribery risks.

S.N. Matulis; Institute of Legislation and Comparative Law under the Government of the Russian Federation. Moscow: Publishing House "Jurisprudence", 2021. – Pp. 18-20.

131 For more details, see Article 12 "Private Sector" of the United Nations Convention against Corruption. URL: https://www.un.org/ru/documents/decl_conv/conventions/corruption.shtml

132 ISO 37001. Anti-bribery management systems. URL: <https://www.iso.org/iso-37001-anti-bribery-management.html>

133 For example: URL: <https://moskva.mts.ru/about/media-centr/soobshheniya-kompanii/novosti-mts-v-rossii-i-mire/2023-04-03/mts-podverdila-sootvetstvie-antikorrupcionnoj-komplaens-sistemy-standartu-iso>
<https://severstal.com/upload/iblock/1c6/dfc92567961a5a11d5926a794fc2df89.pdf>

In the Russian Federation today, there is, in particular, the standard “GOST R ISO 26000-2012. National Standard of the Russian Federation. Guidelines on Social Responsibility” (approved and enacted by the Order of Rosstandart dated 29.11.2012 No 1611-st), which establishes an extensive set of provisions in the relevant area, and the Ministry of Labor of Russia recommends that employees include the obligation to comply with anti-corruption standards in employment contracts.

International cooperation and benchmarking also play important roles in implementing anti-corruption standards, contributing to the continuous improvement of internal processes and enhancing their efficiency. Many Russian companies join international anti-corruption initiatives, including the UN ¹³⁴Global Compact, which contains principles aimed, among other things, at combating corruption. Participation in such initiatives helps organizations adopt best practices from around the world and apply them in their activities.

It is also important to note the anti-corruption efforts of states within the BRICS framework, where the BRICS Anti-Corruption Working Group, established in 2015¹³⁵, operates.

In the Russian Federation, as in other countries, measures aimed at preventing and suppressing corruption in all spheres of activity, ensuring honesty and transparency in the activities of any organization, apply to all management levels. Within the framework of theoretical and practical work, questions concerning the definition of the boundaries of legal regulation continually arise. This includes a discussion of the extent to which prohibitions, restrictions, and obligations are permissible, as well as the establishment of criteria for such extension for natural and legal persons, companies, foundations, and other organizations that provide socially significant services. For example, employees in the fields of medicine and pharmaceuticals, in the course of their professional activities, are prohibited from receiving from drug manufacturers not only money but also various forms of gifts, including payments for services.

The law requires organizations to implement measures to prevent corruption (Part 1 of Article 13.3 of Federal Law No. 273-FZ “On Combating Cor-

¹³⁴ For more information, see: URL: <https://www.globalcompact.ru/about/>

¹³⁵ See.: URL: <https://brics-russia2024.ru/news/zasedanie-antikorrupsionnoy-rabochey-gruppy/>

The main forms of activity of the BRICS Anti-Corruption Working Group are the implementation of joint educational programs for officials on anti-corruption issues, the holding of anti-corruption seminars and conferences, ensuring practical interaction between the competent authorities and the exchange of experience, expanding the use of criminal law and other means in cooperation in order to combat corruption and recover assets.

Meetings of the working group, as a rule, are held three times a year on the sidelines of various international anti-corruption forums.

The Group is focused on discussing issues of anti-corruption cooperation in the field of asset recovery, exchanging experience in anti-corruption achievements, developing a consolidated position on key topics of the G20 Anti-Corruption Working Group and other international formats.

It is noteworthy that at a regular meeting on January 21, 2019, it was decided to launch the International Youth Competition of Social Anti-Corruption Advertising “Together Against Corruption!” in the BRICS countries.

URL: <https://anticorruption.life/brics/>

ruption¹³⁶). The relevant norm is imperative, thereby excluding the possibility of non-compliance with the subject of legal relations. Failure to develop and implement standards and procedures to ensure the organization's integrity, as well as failure to take the necessary measures, constitutes a violation. It is identified during prosecutorial inspections, within the framework of which compliance with anti-corruption legislation is assessed and, if necessary, appropriate measures are taken¹³⁷.

Part 2 of this article provides organizations with the opportunity to independently choose specific anti-corruption measures. This provides an opportunity for organizations to take the initiative and adopt their own anti-corruption measures, thereby underscoring the importance of their active participation in preventing corruption. Such measures include:

- 1) determination of subdivisions or officials responsible for the prevention of corruption and other offenses;
- 2) cooperation of the organization with law enforcement agencies;
- 3) development and implementation of standards and procedures aimed at ensuring the fair operation of the organization;
- 4) adoption of a code of ethics and official conduct for employees of the organization;
- 5) prevention and settlement of conflicts of interest;
- 6) prevention of the preparation of unofficial reports and the use of forged documents.

It should be noted that in this area, there is uncertainty about the limits of anti-corruption measures that should be applied by a particular organization. Moreover, the list of measures required for the development and implementation of organizations does not account for differences in their organizational and legal forms, sizes, and the nature of their activities, as Article 13.3 of the Federal Law "On Combating Corruption" primarily due to a lack of personnel and financial resources¹³⁸.

One means of improving the effectiveness of anti-corruption measures implemented by organizations in the expert community is to develop amendments and additions to Article 13.3 and to adopt several bylaws. Such changes

136 For more details, see: Scientific and Practical Commentary on the Federal Law of December 25, 2008 No 273-FZ "On Combating Corruption" (article-by-article) / T.Y. Khabrieva, A.V. Gabov, A.M. Tsirin et al.; Holes. Ed. by T.Y. Khabrieva. Moscow: Institute of Legislation and Comparative Law under the Government of the Russian Federation, 2018. — Pp. 371-397.

137 For more details, see: Combating corruption in the field of business: a scientific and practical manual / Yu.V. Truntsevsky, R.A. Kurbanov, A.M. Tsirin et al.; Holes. ed. by T.Y. Khabrieva, O.S. Kapinus; Institute of Legislation and Comparative Law under the Government of the Russian Federation. Moscow: Publishing House "Jurisprudence", 2020. — Pp. 84-95

138 For more details, see: Combating corruption in the field of business: a scientific and practical manual / Yu.V. Truntsevsky, R.A. Kurbanov, A.M. Tsirin et al.; Holes. ed. by T.Y. Khabrieva, O.S. Kapinus; Institute of Legislation and Comparative Law under the Government of the Russian Federation. Moscow: Publishing House "Jurisprudence", 2020. — Pp. 84-95.

should be aimed at detailing anti-corruption requirements, as well as at providing methodological and organizational support for the implementation of effective anti-corruption measures, and should not be limited to measures provided for by law. More detailed and voluminous measures can be implemented at large enterprises with large numbers of employees, high turnover, a wide geographic presence, and significant state participation. The attention paid to employee encouragement, embodied in both material and non-material incentives, is also noteworthy¹³⁹.

The general rules establishing the liability of legal entities for corruption offenses are enshrined in Article 14 of Federal Law No 273-FZ:

1. In the event that on behalf of or in the interests of a legal entity the organization, preparation and commission of corruption offenses or offenses that create conditions for the commission of corruption offenses are carried out, the legal entity may be subject to liability measures in accordance with the legislation of the Russian Federation.

2. The application of liability measures to a legal entity for a corruption offense shall not exempt the guilty individual from liability for this corruption offense, and the imposition of criminal or other liability of an individual for a corruption offense shall not exempt a legal entity from liability for this corruption offense.

Article 19.28 of the Code of Administrative Offences of the Russian Federation defines the measures of liability for illegal remuneration on behalf of a legal entity¹⁴⁰. An important aspect of Article 19.28 of the Code of Administrative Offences of the Russian Federation is the definition of the group of persons whose actions may subject the organization to liability. At the same time, the legislator takes a fairly general approach, enabling coverage of a wide range of subjects. The liability of an organization under Article 19.28 of the Code of Administrative Offences of the Russian Federation arises regardless of whether the legal entity itself is at fault in the traditional sense. This means an organization can be held responsible for the actions of its representatives, even if it did not issue direct orders to commit them. The main elements of a liability claim are unlawful remuneration and a connection between the person's actions and the legal entity's commercial interests.

139 Development of Anti-Corruption Legislation and Compliance in New Conditions. To the XXIV Yasin (April) International. Scientific. Conf. on the problems of economic and social development, Moscow, 2023 / E.A. Artemenko, R.O. Dolotov, E.A. Ivanov et al.; pod nauch. Ed. by D.V. Krylova; Nats. research. University Higher School of Economics. Moscow: Izd. House of the Higher School of Economics, 2023. – P. 16.

140 For more details on the signs that contribute to the classification of administrative offenses as corruption, see, for example: A.D. Gorelov. Practice of Attracting Officials and Organizations for Committing Corruption Administrative Offenses / Prevention of Corruption Offenses. Issues of application of anti-corruption legislation and the main directions of prevention of corruption offenses. Collection of reports of the participants of the training and methodological seminar held on November 27, 2023, for representatives of units for the prevention of corruption and other offenses of the central offices of federal executive bodies and organizations created to fulfill the tasks assigned to the Government of the Russian Federation, as well as executive authorities of the constituent entities of the Russian Federation. 2024. – Moscow, 270 p.

At the same time, the negative consequences for legal entities associated with the commission of an administrative offense under Article 19.28 of the Code of Administrative Offenses of the Russian Federation are not limited to fines. One significant consequence of bringing an organization to liability is a two-year ban on participation in state and municipal orders¹⁴¹. Currently, information on bringing procurement participants to liability under Article 19.28 of the Code of Administrative Offenses of the Russian Federation is published in the Unified Register of Procurement Participants (<https://zakupki.gov.ru>).¹⁴²

From January 1, 2020, in accordance with subpara. “x” of clauses 5 and 8.1 of the Rules for registration of procurement participants in the Unified Information System (UIS), when registering in the UIS, information is automatically generated on bringing the participant to administrative responsibility for an offense under Article 19.28 of the Code of Administrative Offenses of the Russian Federation. These data include the name of the court that issued the ruling, the case number, the ruling date, and the entry into force date (Decree of the Government of the Russian Federation dated July 18, 2019, No. 917). This data is automatically updated based on information provided by the Prosecutor General’s Office of the Russian Federation via a unified interdepartmental electronic interaction system. When conducting electronic tender procedures, the operator of the electronic platform provides information on bringing the participant to administrative responsibility from the Unified Register in the UIS¹⁴³.

In addition, Federal Law No. 298-FZ of August 3, 2018 “On Amendments to the Code of Administrative Offenses of the Russian Federation” established that a legal entity may be exempted from liability under Article 19.28 of the Code of Administrative Offenses of the Russian Federation if it contributed to the detection of an offense, conducted an investigation and/or solved a crime related to this offense, or if it was the object of extortion.

It is important to note that applying liability measures to a legal entity for a corruption offense does not absolve the individual directly responsible for the offense of liability. In the same way, bringing an individual to criminal or oth-

141 Cm. Article 31 of Federal Law No. 44-FZ of April 5, 2013 “On the Contract System in the Field of Procurement of Goods, Works and Services for State and Municipal Needs”.

142 Combating Corruption: Information and Analytical Bulletin (2023) / Institute of Legislation and Comparative Law under the Government of the Russian Federation. Moscow: Publishing House “Jurisprudence”, 2024. — Pp. 98-99

143 Thus, based on the profile of organizations included in the Unified Register, data were obtained, including: the place of registration of the legal entity; year of establishment; where liquidation, insolvency (bankruptcy) takes place and where bankruptcy proceedings have been opened against a legal entity; average headcount of the organization; the status of the organization; The main activity of the organization. The relevant data made it possible to analyze legal entities brought to administrative responsibility under Article 19.28 of the Code of Administrative Offenses of the Russian Federation, and to draw up a typical (average) portrait of a domestic bribe-giver. For more details, see: Combating Corruption: Information and Analytical Bulletin (2023) / Institute of Legislation and Comparative Law under the Government of the Russian Federation. Moscow: Publishing House “Jurisprudence”, 2024. — P. 98

er liability for a corruption offense does not exempt the responsible legal entity person¹⁴⁴.

Individual liability for corruption offenses in the Russian Federation is regulated by a set of legal acts, among which the previously mentioned Federal Law No. 273-FZ “On Combating Corruption” occupies a special place. Article 13 of this law sets out the main provisions on the liability of individuals for such offenses. In particular, citizens of the Russian Federation, foreign citizens, and stateless persons are subject to criminal, administrative, civil, and disciplinary liability for corruption offenses, and these liabilities are set out in various regulatory acts.

For example, Articles 290 and 291 of the Criminal Code of the Russian Federation establish liability for giving and receiving a bribe, respectively. Article 290 of the Criminal Code of the Russian Federation provides for punishment for officials who have received a bribe for illegal actions (or inaction) in favor of the bribe-giver. Article 291 of the Criminal Code of the Russian Federation punishes the act of giving a bribe to an official to commit the same actions. Sanctions for these crimes can include imprisonment for up to 15 years, heavy fines, and property confiscation. Other important articles include Article 204 of the Criminal Code of the Russian Federation, which regulates commercial bribery, and Article 285 of the Criminal Code of the Russian Federation, which establishes liability for abuse of official powers.

Administrative offenses that do not reach the level of a criminal offense include illegal remuneration on behalf of a legal entity (Article 19.28 of the Code of Administrative Offenses of the Russian Federation). Organizations may be fined up to 100 million rubles if it is established that money or other valuables were transferred to officials holding state or municipal positions, or to foreign officials, on their behalf.

Civil liability arises when material damage is caused as a result of corrupt actions or when contractual obligations are violated. The Civil Code of the Russian Federation (the Civil Code of the Russian Federation) provides for measures to protect the rights and interests of the injured persons, such as the recovery of damages (Article 15 of the Civil Code of the Russian Federation), compensation for damage (Article 1064 of the Civil Code of the Russian Federation) and the recognition of transactions made as a result of corrupt acts as invalid (Article 168 of the Civil Code of the Russian Federation). Civil lawsuits may include claims for direct damage and lost profits related to corruption violations.

Disciplinary liability for corruption offenses applies to employees of state and commercial organizations who have committed corrupt acts in the course of

¹⁴⁴ Combating corruption in the field of business: a scientific and practical manual / Yu.V. Truntsevsky, R.A. Kurbanov, A.M. Tsirin et al.; Holes. ed. by T.Y. Khabrieva, O.S. Kapinus; Institute of Legislation and Comparative Law under the Government of the Russian Federation. Moscow: Publishing House “Jurisprudence”, 2020. — P. 86

performing their official duties. In accordance with the Labor Code of the Russian Federation (Articles 192 and 193), disciplinary measures may include reprimands and dismissals for appropriate grounds, which often formalize organizations' internal rules and disciplinary statutes. For example, an employee may be dismissed for a single gross violation of labor duties, referring to Article 81 of the Labor Code of the Russian Federation. In addition, while Article 13.3 of Federal Law No. 273-FZ enshrines anti-corruption requirements for a wide range of organizations without their gradation by organizational and legal forms, the requirements in Articles 349.1 and 349.2 of the Labor Code of the Russian Federation apply to employees of certain forms of legal entities.

It is rightly noted that the current approaches to the classification of forms of corruption cannot be considered complete due to the continuous evolutionary process in the political, social, economic, ideological, spiritual, and moral spheres of society, which can give rise to new variations of corruption practices in the corporate segment of the economy and beyond¹⁴⁵.

Speaking about measures aimed at ensuring that organizations comply with anti-corruption legislation, it is worth noting, for example, the following¹⁴⁶:

- a. verification of the absence of deprivation of the right to hold certain positions (engage in certain activities) (disqualification) for financially responsible persons and other persons applying for positions related to participation in the disposal of the company's material assets or management of the company (Articles 12–12.5 of Federal Law No 273-FZ, Article 47 of the Criminal Code of the Russian Federation);
- b. verification of educational documents, obtaining reviews (including through direct contact with the persons who provided reviews) from the previous place of work; verification of the facts of criminal record, information about offenses committed, including accusations/suspicions that did not end in court proceedings (Article 11.1 of Federal Law No 273-FZ).
- c. verification, when concluding an employment contract with a citizen who held positions in the state or municipal service, the list of which is established by regulatory legal acts of the Russian Federation, within two years after his dismissal from the state or municipal ser-

145 E.V. Filatova. Features of corruption manifestations at the level of the organization and tools for their leveling / Constitutional and legal guidelines for combating corruption. Combating Corruption as a National Priority in Practice, Science and Education: Materials of the Tenth and Eleventh Eurasian Anti-Corruption Forums (Moscow, April 20, 2021, April 20, 2022) / ed. Ed. by T.Y. Khabrieva. Moscow: Institute of Legislation and Comparative Law under the Government of the Russian Federation; Publishing House "Jurisprudence", 2023. — 448 p.

146 Combating corruption in the field of business: a scientific and practical manual / Yu.V. Truntsevsky, R.A. Kurbanov, A.M. Tsirin et al.; Holes. ed. by T.Y. Khabrieva, O.S. Kapinus; Institute of Legislation and Comparative Law under the Government of the Russian Federation. Moscow: Publishing House "Jurisprudence", 2020. — Pp. 88-89.

vice, whether the citizen has received the consent of the commission for compliance with the requirements for the official conduct of state or municipal employees and the settlement of conflicts of interest to be replaced by a citizen on the terms of an employment contract for a position in an organization and (or) for the performance of work in this organization (provision of services to this organization) under the terms of a civil law contract (Part 1 of Article 12 of Federal Law No 273-FZ);

- d. notification at the conclusion of an employment contract with a citizen who held positions in the state or municipal service, the list of which is established by regulatory legal acts of the Russian Federation, within two years after his dismissal from the state or municipal service within ten days of the conclusion of such an agreement to the representative of the employer (employer) of the state or municipal employee at his last place of service in the manner established by the regulatory legal acts of the Russian Federation, legal acts of the Russian Federation (Part 4 of Article 12 of Federal Law No 273-FZ);
- e. organization of procurement and sales processes and procedures taking into account the provisions of the code of ethics and (or) the company's conduct (Article 13.3 of Federal Law No 273-FZ);
- f. establishment of a tender process for purchases exceeding the amount specified in the company's internal documents, as well as the establishment of liability limits for purchases and payments, involving a different level of approval depending on the amounts of purchases and payments (Article 13.3 of Federal Law No 273-FZ).

Companies themselves implement anti-corruption standards, which are an integrated system of anti-corruption obligations, permits, restrictions and prohibitions for all employees. As mentioned earlier, anti-corruption standards aim to foster a culture of integrity within the organization and mitigate corruption risks at all levels. These standards also include organizational requirements for compliance with them and are aimed at achieving the following goals:

- a. reducing the risk of involvement of employees in corrupt activities, regardless of their position;
- b. formation of a clear understanding and support of the company's anti-corruption policy among employees and external partners, expressing rejection of corruption in any form;
- c. creation of a regulatory framework to regulate the company's actions to prevent the involvement of employees in corrupt practices;

- d. establishing an obligation for employees to know and follow anti-corruption standards and requirements, as well as key norms of anti-corruption legislation and adequate measures to prevent corruption¹⁴⁷.

An integral part of modern corporate governance is the creation and implementation of an anti-corruption policy in organizations. This procedure is aimed, among other things, at ensuring transparency, compliance with the law and reducing corruption risks. The importance of anti-corruption policy is especially emphasized in the context of globalization and integration of world markets, where the requirements for business ethics and responsible business conduct are increasing. This document should include clear definitions of corrupt acts, their classification, the parties responsible for their commission, and measures to prevent them. Internal norms and procedures for detecting and investigating corruption offenses should be set out in as much detail as possible. The key principles of the policy include zero tolerance for corruption, mandatory compliance with anti-corruption standards for all employees and managers, and transparency in business activities.

The content of an organization's anti-corruption policy is determined by its specific characteristics and the conditions under which it operates. It is advisable to reflect the following issues in the anti-corruption policy¹⁴⁸:

- a. goals and objectives of the anti-corruption policy implementation;
- b. concepts and definitions used in politics;
- c. the basic principles of the organization's anti-corruption activities;
- d. the scope of the policy and the circle of person's subject to it;
- e. determination of the organization's officials responsible for the implementation of the anti-corruption policy;
- f. definition and consolidation of the responsibilities of employees and the organization related to the prevention and combating of corruption;
- g. establishment of a list of anti-corruption measures, standards and procedures implemented by the organization and the procedure for their implementation (application);
- h. liability of employees for non-compliance with the requirements of the anti-corruption policy;
- i. the procedure for reviewing and amending the anti-corruption policy of the organization.

¹⁴⁷ Combating corruption in the field of business: a scientific and practical manual / Yu.V. Truntsevsky, R.A. Kurbanov, A.M. Tsirin et al.; Holes. ed. by T.Y. Khabrieva, O.S. Kapinus; Institute of Legislation and Comparative Law under the Government of the Russian Federation. Moscow: Publishing House "Jurisprudence", 2020. — Pp. 95-96.

¹⁴⁸ Scientific and Practical Commentary on the Federal Law of December 25, 2008 No 273-FZ "On Combating Corruption" (article-by-article) / T.Y. Khabrieva, A.V. Gabov, A.M. Tsirin et al.; Holes. Ed. by T.Y. Khabrieva. Moscow: Institute of Legislation and Comparative Law under the Government of the Russian Federation, 2018. — P. 374.

The organization of anti-corruption policy in the private sector has several distinct features. Unlike state and municipal structures, private companies' employees do not have the same extensive responsibilities for anti-corruption activities. This has a significant institutional impact on organizational work. There is no need for large-scale information campaigns related to the instructional declaration or to the analysis and verification of income tax returns. The absence of these responsibilities saves employees in anti-corruption units' significant time.

One effective practice is the creation of specialized committees or anti-corruption units responsible for implementing and monitoring policies. It is also important to introduce internal and external audit mechanisms to enable the timely identification and elimination of corruption risks.

Employee training plays a key role in the successful implementation of the anti-corruption policy. It is necessary to organize systematic training, including training, seminars, and information briefings to raise awareness of employees about possible corruption schemes and measures to prevent them. It is important to ensure that information about policies and specific procedures is available, and to create channels for anonymous reporting of violations.

An effective anti-corruption policy requires regular monitoring and adjustment. Periodic reviews and independent audits should be conducted to identify weaknesses and recommend improvements. Organizations should adapt their policies to reflect changes in legislation and new data on corruption risks.

The Anti-Corruption Charter of Russian Business, developed by the Russian Union of Industrialists and Entrepreneurs (RSPP) in 2012, significantly advanced corporate anti-corruption measures. The Charter provides the business community with principles and standards that promote business ethics and transparency. Companies that have signed the Charter undertake to implement and comply with comprehensive anti-corruption measures, including the creation of an effective internal control system and ensuring transparency in operations and interactions with public authorities.

The principles of the Charter include transparency and honesty in business, compliance with the law, a corporate culture grounded in ethical standards and morality, and the availability of information for public scrutiny. The Charter serves as a kind of "moral compass", guiding companies on the path to responsible business conduct and building trust with partners and customers.

Developing an anti-corruption culture grounded in Russia's ethical principles and values is an urgent task for the public and corporate sectors. Anti-corruption corporate culture is a soft but effective tool for combating corruption. "from above" to improve ethical norms of behavior. Ethical rules of conduct for employees are traditionally formalized as codes of business ethics. When creating them, it is important to consider Russian historical and cultural traditions, taking

into account the cultural characteristics of the country's regions and peoples. An example of good practice is the actions of large Russian companies, which, in the process of developing codes of business ethics, consult not only with management and lawyers, but also interview employees, determine their moral values and priorities, as well as organize collective discussions of projects¹⁴⁹.

In view of the absence of the concept of corporate ethics in labor legislation, the content of the relevant code may differ depending on the specifics of the activities and structure of each particular company, on the accents of its internal policy, etc ("labor dynasty"), informing the employer about violations that have become known to the employee¹⁵⁰. At the same time, it is noteworthy that combating corruption may not be limited to a single section of the Code; it may be reflected across a range of its provisions¹⁵¹ and translated into other related, more specialized anti-corruption acts¹⁵².

The system for identifying and resolving conflicts of interest is an important tool for preventing corruption within an organization. Although the conflict of interest itself does not have negative consequences per se, its presence is a risk factor for the company. In this regard, the Ministry of Labor of the Russian Federation recommends the development of an appropriate regulation on the settlement of conflicts of interest, aimed at limiting the impact of the personal interest of employees on their employment functions and decisions made. Such a provision may include¹⁵³:

- 1) the goals and objectives of the adoption of the regulation;
- 2) the circle of persons falling under its action;
- 3) the main concepts and definitions used (including the concepts of "personal interest", "conflict of interest", "related persons" and others);
- 4) the principles of disclosure and settlement of conflicts of interest in the organization;
- 5) actions of employees in connection with the prevention, disclosure and settlement of conflicts of interest and the procedure for their implementation;

149 For more details, see: Development of Anti-Corruption Legislation and Compliance in New Conditions: Dokl. To the XXIV Yasin (April) International. Scientific. Conf. on the problems of economic and social development, Moscow, 2023 / E.A. Artemenko, R.O. Dolotov, E.A. Ivanov et al.; pod nauch. Ed. by D.V. Krylova; Nats. research. University Higher School of Economics. Moscow: Izd. House of the Higher School of Economics, 2023. – Pp. 14-15. N.A. Golovanova. Corporate Culture and Other Factors Influencing the Fate of the Organization / Combating Corruption in Organizations: International and National Standards: Materials of the Ninth Eurasian Anti-Corruption Forum (Moscow, April 15, 2020) / ed. by T.Y. Khabrieva, I.I. Kucherov, A.M. Tsirin, S.N. Matulis; Institute of Legislation and Comparative Law under the Government of the Russian Federation. Moscow: Publishing House "Jurisprudence", 2021. 188 p.

150 See: Consultant Plus.

151 See for example: Code of Business Ethics of Russian Railways (approved by Order of Russian Railways dated 18.07.2023 No 1792r). URL: <https://company.rzd.ru/ru/9353/page/105104?id=961>

152 See, for example: Regulations on Gifts and Signs of Business Hospitality in the State Budgetary Institution "MosTransProject".

URL: <https://mtp.mos.ru/docs/Положение%20o%20подарках.pdf>

153 For more details, see: Measures to prevent corruption in organizations (approved by the Ministry of Labor of Russia). URL: <https://mintrud.gov.ru/uploads/magic/ru-RU/Ministry-0-106-src-1568817692.8748.pdf>

- 6) the procedure for disclosing a conflict of interest (declaration);
- 7) the procedure for considering declarations and resolving conflicts of interest;
- 8) measures of responsibility.

At the same time, such acts can also take the form of an organization's policy for managing conflicts of interest, outlining the relevant risks, principles, stages, and measures of responsibility¹⁵⁴.

Another important aspect of comprehensive anti-corruption activities at the local level is anti-corruption education, which is equally important for both the private sector and government agencies. It contributes to improving employees' skills, building confidence in difficult situations, and fostering personal growth. Effective education builds a culture of collaboration and skills, fosters intolerance of corrupt behavior, reduces organizational risk, and mitigates potential negative consequences, including legal, economic, and reputational risks.

It is advisable to use a variety of approaches, including traditional lectures and seminars, as well as interactive formats such as videos, games, quests, and quizzes. Personalizing education and introducing engaging formats make anti-corruption education more attractive. It is important to adapt training to the organization's needs and goals, provide practical examples of applying knowledge, and use gamification to stimulate employee interest and motivation.

Flexible training formats, management support, adaptation to the needs of specific employees, and the use of various formats, including mobile courses and interactive elements, increase the involvement and effectiveness of anti-corruption education. Gamification and competitive elements, such as recognizing top-performing teams, also help promote a compliance culture.

Interactive anti-corruption education materials, such as videos and animations, make complex concepts more accessible and engaging, reducing training costs. It is also important to take into account the ethical issues of organizing anti-corruption training, such as the integration of courses into the work process without disrupting the basic functions of employees and the choice between long courses and microlearning.

Thus, successful anti-corruption education in organizations requires a flexible approach, careful consideration of audience characteristics, and a variety of interactive formats to create an effective and sustainable anti-corruption culture.

Compliance programs are also among the most important elements for ensuring compliance with existing regulatory requirements and internal regulations. Although the term "compliance" is widely used in international prac-

154 For example: Sberbank Group's Conflict of Interest Management Policy. URL: https://www.sberbank.com/common/img/uploaded/files/pdf/normative_docs/conflict_of_interest_management_policy_ru.pdf

tice, it has not yet been officially enshrined in Russian legislation; it is used in regulatory legal acts and documents of the Bank of Russia and the Federal Antimonopoly Service of the Russian Federation. It should be noted that the measures set out in Article 13.3 are standard components of the anti-corruption compliance system¹⁵⁵.

Compliance programs include the development and implementation of codes of ethics that set the basic principles and rules of conduct for all company employees. An essential aspect of compliance programs is establishing structural divisions or appointing individuals responsible for compliance with anti-corruption standards. The introduction of internal control systems and regular inspections also plays a significant role in preventing and detecting corruption violations¹⁵⁶.

Technological factors significantly impact the transformation of compliance systems. This includes the development of Legal IT, automation tools and the use of artificial intelligence (AI) in legal work and risk assessment. Although compliance has not yet become a leading application area for AI, automation is already widely used to perform many tasks. The benefits of automation include saving time and reducing decision-making errors. AI can be used to analyze legal risks, assess the reliability of counterparties, support compliance controls, and conduct internal investigations. However, its widespread use is constrained by high cost, insufficient legal framework, and other factors. At the same time, the adoption of AI is constrained by the high cost of developing specialized AI for the compliance sector, restrictions under personal data legislation, the lack of a clear methodological and legal framework, and the inability to use AI findings in legally significant processes. Over time, overcoming these limitations, AI will be able to be used more actively, for example, in legal risk analysis, counterparty verification, and internal investigations¹⁵⁷.

To increase the effectiveness of anti-corruption measures, it is important to continue actively introducing modern digital technologies in areas such as anti-corruption expertise and monitoring of law enforcement practices. This will cover a wider range of regulatory legal acts and identify factors contributing to corruption, as well as other problematic aspects of organizations that can prevent

155 In particular, in the methodological recommendations of the Ministry of Labor of the Russian Federation "Methodological recommendations for the development and adoption of measures by organizations to prevent and combat corruption", anti-corruption compliance is understood as ensuring the compliance of the organization's activities with the requirements imposed on it by Russian and foreign legislation, other mandatory regulatory documents, as well as the creation in the organization of mechanisms for the analysis, identification and assessment of corruption risks hazardous areas of activity and ensuring comprehensive protection of the organization.

156 It is worth noting that the Order of the Ministry of Labor of Russia dated August 8, 2022 No 472n approved the professional standard "Specialist in the field of prevention of corruption offenses".

157 For more details, see: Development of Anti-Corruption Legislation and Compliance in New Conditions: Dokl. To the XXIV Yasin (April) International. Scientific. Conf. on the problems of economic and social development, Moscow, 2023 / E.A. Artemenko, R.O. Dolotov, E.A. Ivanov et al.; pod nauch. Ed. by D.V. Krylova; Nats. research. University Higher School of Economics. Moscow: Izd. House of the Higher School of Economics, 2023. – Pp. 34-37.

corruption, such as conducting anti-corruption examinations of local acts and their drafts. These acts constitute a significant part of Russia's legal system, and practice shows they are equally susceptible to corruption risks. For example, anti-corruption expertise is already actively used to prevent corruption, particularly in state-owned corporations such as Rosatom and¹⁵⁸ Transneft. In the expert community, there are fair proposals to amend Part 2 of Article 13.3 of Federal Law No. 273-FZ, which would make anti-corruption expertise one of the measures organizations take to prevent corruption. persons of different types.

Another important area of anti-corruption activity is combating the latency of corruption, which complicates efforts to address it. Reports of corruption play an important role in detecting offenses, including in the corporate sector. In this context, it is advisable to use a system designed to encourage and protect employees who report corruption. It should eliminate employees' fear of potential negative consequences and prevent abuse and corruption. employees, taking into account the possibility of reporting errors regarding corruption. A promising area is the use of information and communication technologies to create a unified federal system for filing corruption reports, including the option of anonymous filing. Such a system should protect personal data, automate the primary processing, verification and transfer of information, and provide feedback. It is also important to recognize the principle of a good-faith mistake by the applicant when information about corruption is not supported by legally significant facts. Thus, the adoption of digital technologies and the development of a whistleblower protection system will significantly enhance the effectiveness of anti-corruption measures, contributing to a more transparent and ethical corporate environment¹⁵⁹.

158 Order of Rosatom State Corporation dated 20.09.2013 No 1/2-NPA "On Approval of the Regulation on the Procedure for Anti-Corruption Expertise of Regulatory Legal Acts and Draft Regulatory Legal Acts of Rosatom State Corporation". URL: <https://www.rosatom.ru/upload/iblock/683/6838ba36e6ca35eb4a30b9a14927773d.docx>

159 For more details, see: Development of Anti-Corruption Legislation and Compliance in New Conditions: Dokl. To the XXIV Yasin (April) International. Scientific. Conf. on the problems of economic and social development, Moscow, 2023 / E.A. Artemenko, R.O. Dolotov, E.A. Ivanov et al.; pod nauch. Ed. by D.V. Krylova; Nats. research. University Higher School of Economics. Moscow: Izd. House of the Higher School of Economics, 2023. – Pp. 16-18. Legal Protection of WhistleBlowing Persons: Academic and Research Guide / V.Yu. Artemov, N.A. Golovanova, S.A. Kubantsev etc.; Editors-in-Chief A.M. Tsirin, E.I. Spektor. — M.: The Institute of Legislation and Comparative Law under the Government of the Russian Federation, 2016. — 144 p.; Yu.V. Truntsevsky, S.N. Matulis. Protection of Persons Reporting on the Facts of Corruption in Organizations: Legal and Technological Aspects // Journal of Russian Law. 2021. № 5. – Pp. 146-160.

ISBN: 978-65-02-05979-1

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CHAPTER

2

**CURRENT TRENDS IN THE DEVELOPMENT
OF ANTI-CORRUPTION LEGISLATION**

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CURRENT TRENDS IN THE DEVELOPMENT OF ANTI-CORRUPTION LEGISLATION

1 ANTI-CORRUPTION AS A CROSS-SECTORAL PHENOMENON OF MODERN LEGISLATION

The dynamics of the system of law, according to experts, indicates the existence of atypical cyclic arrays¹⁶⁰ that cannot be identified in the previous categorical matrix and attributed to the known elements of the system of law (branches, sub-branches, institutions). The primary element of these arrays is “cross-sectoral” legal norms that operate outside the system of law, creating specific connections, forming a distinct place within it, and demonstrating the ability to penetrate most elements of the legal system¹⁶¹. One of these legal arrays is anti-corruption legislation.

Based on the hypothesis of the existence of atypical cyclic arrays in law, substantiated by Academician of the Russian Academy of Sciences T.Y. Khabrieva in 2016-2019, a group of scientists developed a concept for systematizing anti-corruption legislation¹⁶². In particular, the following was determined: cross-sectoral norms of such arrays behave non-standard within the framework of the legal system, create specific connections and form a special place in it, demonstrating the ability to penetrate into the most elements of the legal system¹⁶³; anti-corruption legislation has an extroverted cross-sectoral nature¹⁶⁴; the existence of

160 Khabrieva T.Y. Cyclic Normative Arrays in Law // *Journal of Russian Law*. 2019. № 12.

161 See: Khabrieva T.Y. Counteraction to the Legalization (Laundering) of Proceeds Obtained by Criminal Means and the Financing of Terrorism in the Context of Digitalization of the Economy: Strategic Tasks and Legal Solutions. 2018. № 4. Pp. 462–463; Khabrieva T.Ya., Chernogor N.N. Strengthening of Law and Order and Counteraction to Corruption in the Context of Eurasian Integration. 2017. № 1; Khabrieva T. Y. Law before the challenges of digital reality // *Journal of Russian Law*. 2018. № 9. P. 12; Khabrieva T.Ya., Chernogor N.N. Pravo v usloviyakh tsifrovoy real'nosti [Law in the conditions of digital reality]. 2018. № 1. Pp. 85–102; Khabrieva T.Y. Law in Digital Reality. Selected lectures of the University; Vol. 189. St. Petersburg, 2019. P. 18; Khabrieva T.Y. Report at the Eighth Eurasian Anti-Corruption Forum “Anti-Corruption Legislation: Phenomenon, Evolution and Modern Trends” (March 20, 2019, IZiSP). URL: <https://goo-gl.ru/5SG0>; Presentation of the report at the Eighth Eurasian Anti-Corruption Forum “Anti-Corruption Legislation: Phenomenon, Evolution and Modern Trends” (March 20, 2019, IZiSP). URL: <https://goo-gl.ru/5SG1>; Khabrieva T.Y. Projections of the Technological Revolution in the Legal Doctrine (report at the VI Moscow Legal Forum “The Russian Legal System in the Context of the Fourth Industrial Revolution”, Moscow, April 4, 2019, Kutafin Moscow State University). URL: <https://goo-gl.ru/5SG2>.

162 Scientific Concepts of the Development of Russian Legislation: Monograph / V.R. Avkhadeev, E.G. Azarova, L.V. Andrichenko et al.; edited by T.Y. Khabrieva, Y.A. Tikhomirov; Institute of Legislation and Comparative Law under the Government of the Russian Federation. – 8th ed., revised and supplemented – Moscow: Norma, 2024. Pp. 525-547.

163 Scientific Concepts of the Development of Russian Legislation: Monograph / V.R. Avkhadeev, E.G. Azarova, L.V. Andrichenko et al.; edited by T.Y. Khabrieva, Y.A. Tikhomirov; Institute of Legislation and Comparative Law under the Government of the Russian Federation. – 8th ed., revised and supplemented – Moscow: Norma, 2024. Pp. 525-547.

164 For more details, see: Materials of the report of Academician of the Russian Academy of Sciences T.Y. Khabrieva “Main Trends in the Development of National AML/CFT Legislation in the Light of International Standards” at the III International Scientific and Practical Conference of Educational and Scientific Organizations of the AML/CFT Network Institute “Fintech and Regtech: Opportunities, Threats and Risks of Financial Technologies” (November 21, 2017, LPI); Legislation in the Field of Combating Corruption:

scaling of legal norms of a cross-sectoral nature (as a rule, enshrined in the basic law, in Russia, for example, in Federal Law No 273-FZ), detailed taking into account the specifics of social relations that are the subject of the branch of law or legislation in which they are included¹⁶⁵.

The enactment of a basic regulatory act to combat corruption is a common practice among most states. Such a document, in the opinion of the World Bank, should contain “clear line rules, which are clearly defined rules or standards made up of objective factors that leave practically no room for different interpretations.”¹⁶⁶

The peculiarity of anti-corruption legislation is that it regulates heterogeneous social relations and constitutes a system of sectoral regulations interrelated with Federal Law No. 273-FZ, which complicates its systematization¹⁶⁷.

The system of anti-corruption legislation, according to para. “a” of Part 3 of Article 1 of Federal Law No 273-FZ, constitutes the regulatory legal acts of the Russian Federation:

- a) federal regulatory legal acts (federal constitutional laws, federal laws, regulatory legal acts of the President of the Russian Federation, regulatory legal acts of the Government of the Russian Federation, regulatory legal acts of federal executive bodies and other federal bodies);
- b) laws and other regulatory legal acts of the state authorities of the constituent entities of the Russian Federation;
- c) municipal legal acts.

Anti-corruption legal norms are characterized by intersectoral transmission links and dependencies, legal norms of different sectoral affiliations, and by legal sources, including international law implemented in Russia’s national law.

The authors of the commentary to Federal Law No 273-FZ believe ¹⁶⁸that the system of regulatory legal acts on combating corruption is formed by:

- a) the Constitution of the Russian Federation (Articles 2, 3, 18, etc.);
- b) federal constitutional laws¹⁶⁹;

Conceptual Foundations and Place in the System of Russian Legislation: Scientific and Practical Manual / D.A. Pashentsev, M.V. Zaloilo, A.M. Tsirin et al.; Ed. by Dr. Jurid. Sci., Prof. D.A. Pashentseva. Moscow, 2020. – 176 p.; The Concept of Consolidation of the Legislation of the Russian Federation on Combating Corruption: Scientific and Practical Manual / Ed. by Dr. Jurid. Sci., Prof. D. A. Pashentseva. – Moscow: Prospekt, 2021.

165 Khabrieva T.Y. Cyclic Normative Arrays in Law // Journal of Russian Law. 2019. № 2.

166 Chêne M. International good practice in anti-corruption legislation, 2010. <https://www.u4.no/publications/international-good-practice-in-anti-corruption-legislation.pdf>. P. 2.

167 For more details, see: Combating Corruption: New Challenges: Monograph / S.B. Ivanov, T.Y. Khabrieva, Y.A. Chikhanchin et al.; Holes. Ed. by T.Y. Khabrieva. Moscow: IZiSP. Oct. 2016. Pp. 104-112.

168 Scientific and Practical Commentary on the Federal Law of December 25, 2008 No 273-FZ “On Combating Corruption” / T.Y. Khabrieva, A.V. Gabov, A.Y. Kapustin et al. / ed. Ed. by T.Y. Khabrieva. Moscow: Institute of Legislation and Comparative Law under the Government of the Russian Federation, 2018. Pp. 39-40.

169 See, for example, Federal Constitutional Law of December 17, 1997 No 2-FKZ “On the Government of the Russian Federation” // *Sobr. Zakonodatel'stva Rossii. Federatsii*. 1997. No 51. Art. 5712.

- c) generally recognized principles and norms of international law and international treaties of the Russian Federation;
- d) Federal Law No 273-FZ;¹⁷⁰
- e) Federal Law of July 17, 2009 No 172-FZ “On Anti-Corruption Expertise of Regulatory Legal Acts and Draft Regulatory Legal Acts¹⁷¹”;
- f) Federal Law No. 230-FZ of December 3, 2012 “On Control over the Compliance of Expenses of Persons Holding Public Positions and Other Persons with Their Incomes”;
- g) Federal Law of 27.07.2004 No 79-FZ “On the State Civil Service of the Russian Federation”;
- h) Criminal Code of the Russian Federation of June 1, 1996 No 63-FZ¹⁷²;
- i) Code of the Russian Federation on Administrative Offenses of December 30, 2001 No 195-FZ¹⁷³;
- j) Labor Code of the Russian Federation of December 30, 2001 No 197-FZ¹⁷⁴;
- k) Civil Code of the Russian Federation (Part One) of 30.11.1994 No 51-FZ¹⁷⁵.

The subject of legal regulation under Federal Law No. 273-FZ is specific due to the need to continually refine its provisions, taking into account emerging forms of corruption and the practice of its application. At the same time, the cross-sectoral changes should be incorporated into a range of applicable regulatory legal acts.

It is believed that complex institutions of law extend beyond the branches of law and manifest at the intersectoral and general legal levels¹⁷⁶, encompassing reference or blanket legal norms¹⁷⁷.

Such a complex institution is isolated and objectified in legislation due to the emergence of a new, more complex, area of legal regulation¹⁷⁸, not only due to its external separation in form, but also being united (by means of multi-branch legal norms) by general provisions, principles, tasks for the purpose of their intersectoral coordination¹⁷⁹.

170 Rossiyskaya Gazeta. 2008. № 266.

171 2 Sobr. zakonodatel'stva Ross. Federatsii. 2009. No 29. Art. 3609.

172 Sobr. zakonodatel'stva Ross. Federatsii. 1996. No 25. Art. 2954.

173 Sobr. zakonodatel'stva Ross. Federatsii. 2002. No 1 (ch. 1). Art. 1.

174 Sobr. zakonodatel'stva Ross. Federatsii. 2002. No 1 (ch. 1). Art. 3.

175 Sobr. zakonodatel'stva Ross. Federatsii. 1994. No 32. Art. 3301.

176 Valiev RG. Legal Institutionalization and Institutions of Law: Conceptual Model. *Lex russica*. 2020. № 4. P. 107.

177 Jalilova EA. Problems of Defining the Concept of the Institute and the Essence of Law // *Bulletin of the Volga University named after V. N. Tatishchev*. 2018. № 1. P. 24.

178 Salomatin, A.Y. Improving the Effectiveness of Lawmaking in the Conditions of the Modern Stage of Legal Reform. *Volga region. Social sciences*. 2009. № 1. P. 120.

179 Khachaturov R.L. Branches of Legislation and Branches of Law of the Russian Federation: General Theoretical, Inter-Branch, Branch and Historical-Legal Aspects. Moscow: Yurлитinform; 2017. P. 80.

Intersectoral legal institutions play an important role in the legal system, as they address areas of law across multiple branches. These institutions provide a single standard of norms and rules that can be applied to all branches of law. They also assist in harmonizing and coordinating institutions, thereby strengthening the legal system and ensuring its integrity and coherence.

Intersectoral legal institutions also help resolve complex legal issues and contribute to more effective protection of the rights and interests of citizens, legal entities, and the state. They provide broader coverage of legal norms and principles across branches of law, contributing to the legal system's adaptation to changing circumstances and societal needs. In general, intersectoral legal institutions play an important role in developing and improving the legal system, ensuring its stability, fairness, and efficiency.

Federal Law No 273-FZ establishes the basic principles of combating corruption, the legal and organizational framework for preventing and combating corruption, and minimizing and/or eliminating the consequences of corruption offenses. At the same time, Federal Law No 273-FZ contains such cross-industry categories as: Prohibition for certain categories of persons to open and have accounts (deposits), keep cash and valuables in foreign banks, located outside the territory of the Russian Federation, to own and (or) use foreign financial instruments (Article 7.1); Submission of information on income, property and property-related liabilities (Article 8); The obligation of state and municipal employees to notify of appeals for the purpose of inducing them to commit corruption offenses (Article 9); Conflict of interest (Article 10) and a number of others.

The widespread use of cross-sectoral categories in anti-corruption regulation has led to the emergence of intersectoral links and correlations across various legal frameworks, giving them new functionality, defining new vectors and goals of transformation, and addressing relevant problems.

The relevant norms are incorporated into other normative legal acts, operate under distinct conditions, and concretize these rules for a specific sphere of legal regulation, while introducing new mechanisms for implementation, subjects of law enforcement, etc.¹⁸⁰

The unification of the concept of conflict of interest in Russian legislation enables its application to both the state and corporate spheres. In addition, the contours of a new trend have been outlined, consisting in the increasing penetration of this category into sectoral legislation. Article 10 of Federal Law No. 273-FZ of December 25, 2008 "On Combating Corruption" is increasingly

180 Stepanova V.V. Intersectoral nature of the institute of legal responsibility // Vector of science TSU. Series: Legal Sciences. 2016. № 3. P. 105.

reflected in sectoral acts regulating the state civil service¹⁸¹, municipal service¹⁸², service in compulsory enforcement bodies¹⁸³, service in the penal system of the¹⁸⁴ Russian Federation and a number of other areas of public and private relations.

The legal institution of conflict of interest in the field of compliance with anti-corruption legislation helps to solve the following intersectoral tasks:

1. Ensuring transparency and openness in the activities of state and municipal bodies, preventing corruption and abuse of power.
2. Control over compliance with laws and ethical standards by officials and employees of state and municipal bodies.
3. Prevention of conflicts of interest between officials and members of their families, business partners or other persons personally related to them.
4. Maintaining an appropriate level of citizens' trust in the authorities and strengthening legal democracy in society.
5. Assistance in the formation of an effective anti-corruption system and increasing the responsibility of officials for their actions.

We can also cite an example of the institution of loss of trust, which oversees “end-to-end” regulation of relations to ensure conscientious compliance with the requirements of the law at the federal level and at the level of the constituent entities of the Russian Federation.

Being a fundamental component of the functioning of the state as a whole, the cross-sectoral institution of loss of trust has a dualistic character, since it acquires its distinctive sectoral features already as a “sub-institution” – in constitutional, administrative, municipal law, the concepts of loss of trust, refusal of trust, expression of no confidence, etc. are actively used.

A constitutional principle, such as the state's maintenance of trust in the authorities, takes clear legal form. Recognizing the possibility and potential spread of corruption in the highest bodies of power, the basic law sets the level of trust in state institutions (political trust).

Anti-corruption standards as a sub-institution play an important role in establishing and maintaining high disciplinary and professional standards among state and municipal employees.

The relevant competencies of such employees are inextricably linked to the development of official anti-corruption behavior. Codes of ethics and policies

181 Article 19 of the Federal Law of July 27, 2004 No 79-FZ “On the State Civil Service of the Russian Federation” // *Sobr. zakonodatel'stva Ross. Federatsii*. 2004. No 31, art. 3215.

182 Article 14.1 of the Federal Law of March 2, 2007 No 25-FZ “On Municipal Service in the Russian Federation” // *Sobr. Zakonodatel'stva Ross. Federatsii*. 2007. No 10, art. 1152.

183 Article 69 of the Federal Law of October 01, 2019 No 328-FZ “On Service in the Bodies of Compulsory Execution of the Russian Federation and Amendments to Certain Legislative Acts of the Russian Federation” // *Sobr. zakonodatel'stva Ross. Federatsii*. No 40, art. 5488.

184 Article 73 of the Federal Law of July 19, 2018 No 197-FZ “On Service in the Penal Executive System of the Russian Federation and on Amendments to the Law of the Russian Federation “On Institutions and Bodies Executing Criminal Penalties in the Form of Deprivation of Liberty”” // *Sobr. Zakonodatel'stva Rossii. Federatsii*. 2018. No 30, art. 4532.

are developed for employees, which include anti-corruption standards. Anti-corruption standards can be embedded in disciplinary control and oversight systems, which in turn help to detect and prevent corrupt practices. In the event of a violation of anti-corruption standards, civil servants may be subject to disciplinary sanctions, including dismissal. This creates an incentive for employees to comply not only with service discipline but also with anti-corruption standards, and discourages them from committing illegal acts (inaction).

Anti-corruption standards have the following effects on the professional qualities of civil servants: they allow them to remain impartial and make informed and fair decisions in the public interest; help to improve the professional qualities of civil servants by requiring employees to have skills and competencies in their field of work, to be attentive to detail and to comply with established procedures and rules; promote greater transparency in public administration and increase the responsibility of employees for their decisions and behavior; prohibit employees from using their official powers for personal interests, which contributes to more objective and independent decisions.

In general, anti-corruption standards help to create a transparent and ethical working environment for civil servants, promote discipline in their practices, increase public trust, and improve the quality of public administration.

Part 1 of Article 84 of the Civil Code of the Russian Federation provides for the termination of an employment contract in case of violation of the restrictions, prohibitions, and obligations established by federal laws regarding the involvement of citizens dismissed from state or municipal service.

Federal Law No. 437-FZ of 29.12.2010 “On Amendments to the Federal Law ‘On Non-Profit Organizations’ and Certain Legislative Acts of the Russian Federation”¹⁸⁵ introduced Article 349.1 into the Labor Code of the Russian Federation, which establishes the specifics of regulating the labor of employees of state corporations and state-owned companies.

Federal Law No. 231-FZ of December 03, 2012, “On Amendments to Certain Legislative Acts of the Russian Federation in Connection with the Adoption of the Federal Law “On Control over the Compliance of Expenses of Persons Holding Public Positions and Other Persons with Their Income,”¹⁸⁶ introduced Article 349.2 into the Labor Code of the Russian Federation. This article establishes the specifics of regulating the labor of employees of the Pension Fund of the Russian Federation, the Social Insurance Fund of the Russian Federation, the Federal Compulsory Medical Insurance Fund, other organizations created by the Russian Federation on the basis of federal laws, and organizations created to perform the tasks assigned to federal state bodies.

185 Sobr. zakonodatel'stva Ross. Federatsii. 2011. No 1, art. 49.

186 Sobr. zakonodatel'stva Ross. Federatsii. 2012. No 50 (part 4), art. 6954.

According to Article 12 of Federal Law No. 273-FZ and Article 64.1 of the Labor Code of the Russian Federation, citizens who held positions in the state or municipal service, the list of which is established by regulatory legal acts of the Russian Federation, after dismissal from the state or municipal service within two years, are required to inform the employer about the last place of service when concluding employment contracts. Corresponding obligations are imposed on employers by Article 64.1 of the Labor Code of the Russian Federation.

As a result of Russia's accession and the implementation of the UN Convention against Corruption of October 31, 2003, a norm appeared providing for a form of liability for violation of anti-corruption legislation in the form of forfeiture of property to the state —¹⁸⁷ paragraph 2 of Article 235 of Part One of the Civil Code of the Russian Federation was supplemented by subparagraph 8 of the following content: “the conversion of property to the income of the Russian Federation by a court decision, in respect of which evidence of its acquisition for legal income has not been submitted in accordance with the legislation of the Russian Federation on combating corruption.” In accordance with Article 17 FZ-230 “On Control over the Compliance of Expenses of Persons Holding Public Positions and Other Persons with Their Income”, this provision of the Civil Code of the Russian Federation is subject to application in a special procedure of action proceedings. The prosecutor received the right to apply to the court on the basis of paragraph 8 of paragraph 2 of Article 235 of the Civil Code of the Russian Federation with a statement of claim for the conversion of property to the income of the Russian Federation, in respect of which, in accordance with the legislation of the Russian Federation on combating corruption, evidence of its acquisition for legal income by a court decision has not been submitted.

It follows from the Resolution of the Constitutional Court of the Russian Federation of January 9, 2019 No 1-P¹⁸⁸ that this goal determines the admissibility of this kind of form of response to the facts of corruption based on the presumption that the discrepancy between expenses and legitimate revenues implies the commission of acts of a corruption nature. The commission of other offenses, if they are not in conjunction (including ideal) with acts of a corrupt nature, involves other response measures, including other measures of responsibility.

187 Resolution of the Constitutional Court of the Russian Federation of July 04, 2022 No 27-P “On the case of checking the constitutionality of Part 1 of Article 17 of the Federal Law “On Control over the Compliance of Expenses of Persons Holding Public Positions and Other Persons with Their Income”, Paragraph 5 of Article 4 of the Federal Law “On Personal Subsidiary Farms” and Paragraph 1 of Article 200 of the Civil Code of the Russian Federation in Connection with the Complaint of Citizen E.I. Korovitskaya” // *Sobr. zakonodatel'stva Ross. Federatsii*. 2022. No 28, art. 5198.

188 Resolution of the Constitutional Court of the Russian Federation of January 09, 2019 No 1-P “On the case of checking the constitutionality of Part 1 of Article 16 and Part 1 of Article 17 of the Federal Law “On Control over the Compliance of Expenses of Persons Holding Public Positions, and Other Persons to Their Incomes” in Connection with the Complaint of Citizen G.P. Kristov” // *Sobr. Zakonodatel'stva Ross. Federatsii*. 2019. No 3, art. 278.

Anti-Corruption Clause (anti-corruption clauses) or compliance clause (compliance clause) In civil law, it is a provision that prohibits the parties from entering into contracts or making transactions that violate anti-corruption norms and principles. It is aimed at preventing corrupt practices and transactions that may harm the interests of society, the state, or third parties.

The anti-corruption clause confirms that the counterparties are familiar with and understand the content of the anti-corruption laws (foreign countries¹⁸⁹, Federal Law No 273-FZ), the obligation to comply with their provisions, the clause establishes the right to audit, i.e. the ability of the company to check the counterparty and its documents for compliance with this legislation, and in the presence of any violations, to terminate the contract unilaterally or to demand compensation for damages.

An anti-corruption clause can be included in various contracts and transactions, such as contracts for the supply of goods and services, contracts for the lease or sale of real estate, and contracts for legal or financial advice.

The purpose of the anti-corruption clause is to create transparent and fair business practices that are free from corruption schemes and transactions. It may include measures such as checking the parties for involvement in corruption, the obligation of the parties not to offer, accept, or encourage any illegal payments or gifts for the purpose of concluding or performing a contract, the obligation to report potential corruption, liability for violation of the anti-corruption clause, etc.

In the presence of an anti-corruption clause, the parties undertake to adhere to the principles of honesty, transparency, and ethics in their actions, and to cooperate in preventing and suppressing corrupt practices. If a party to a transaction has gained an advantage or entered into it through corrupt practices, the other party may declare the transaction invalid or challenge it. In the event of a violation of the anti-corruption clause, sanctions may include termination of the contract, fines, or criminal liability.

In Russia, the introduction of a standard anti-corruption clause in contracts related to an organization's economic activities is only recommended¹⁹⁰,

189 A number of foreign states have adopted legislative acts on combating corruption and bribery, which have extraterritorial effect. Organizations registered and/or operating in the territory of the Russian Federation that are subject to such regulations should take into account the requirements and restrictions established by them (the US Foreign Corrupt Practices Act (1977 – FCPA) and the UK Bribery Act, 2010) (see: Methodological recommendations on the development and adoption by organizations of measures to prevent and combat corruption; approved. Ministry of Labor and Social Protection of the Russian Federation, November 8, 2013). URL : <https://rosmintrud.ru/ministry/programms/anticorruption/015/0>). So if a Russian company conducts business or part of its business, in particular, in the UK, then giving a bribe by an employee of the company in any corner of the world can lead to criminal liability in the UK, both for the company itself and for the individuals involved in the crime. These are cases when: the company has entered into a contract with a UK company and supplies goods or services in the UK; the company places securities on the London Stock Exchange; the company has a representative office or subsidiary in the UK; the company has a bank account, a lease agreement in London, and the company actively communicates with clients from the UK by e-mail.

190 See: An approximate list of anti-corruption measures in the Methodological recommendations on the development and adoption by organizations of measures to prevent and combat corruption (approved by the

not prescribed by current legislation, including Article 13.3 of the Federal Law “On Combating Corruption”. Academician of the Russian Academy of Sciences T.Y. Khabrieva, in particular, proposes “to enshrine in the legislation the rule on the mandatory inclusion of an anti-corruption clause in agreements, as a tool that makes it possible to establish the legal obligations of the parties for anti-corruption behavior within the framework of the execution of a single contract.”¹⁹¹

A mention of the anti-corruption clause can be included in the Federal Law “On Combating Corruption”, indicating that the obligations of the parties arising from the agreement on the establishment, modification or termination of civil rights and obligations include the obligation not to participate in the commission of corruption offenses.

Anti-corruption standards have a significant impact on competition: such standards are aimed at preventing illegal or dishonest practices, such as bribery, which can give some companies a competitive advantage, the standards contribute to a more level playing field for all market participants and increase competition; Publication of information about upcoming tenders, open and transparent procedures for selecting winners, as well as the conclusion of clear and justified contracts with the winners of tenders make it possible to prevent hidden competition and unfair practices, creating a fairer and more open competition; contribute to the creation of a fair business environment, which ultimately strengthens the confidence of consumers and investors, which also leads to increased competition in the market; allow entrepreneurs to focus on developing innovation and improving the quality of their goods and services, instead of wasting resources on distributing bribes and obtaining illegal advantages, thereby contributing to the development of a more innovative and competitive economy.

Thus, in Part 1 of Article 42.2. “Challenges of Members of the Commission for the Consideration of the Case of Violation of Antimonopoly Legislation” of the Federal Law of 26.07.2006 No 135-FZ “On Protection of Competition”,¹⁹² a member of such a commission may not participate in the proceedings in the case of violation of antimonopoly legislation and is subject to recusal if the member of the commission has a personal interest in the performance of his official duties, which may lead to a conflict of interest.

In business law, there are also norms that provide for the need to combat corruption: the use of declarations of income and property to prevent hidden conflicts of interest; implementing anti-corruption programs and plans that will help prevent corruption in their field of activity; mandatory anti-corruption training

Ministry of Labor and Social Protection of the Russian Federation on November 8, 2013). URL: <https://rosmintrud.ru/ministry/programms/anticorruption/015/0>

191 Khabrieva T. Y. Actual Problems of Strengthening the Law and Order and Countering Corruption in the Context of Eurasian Integration. 2016. № 4. Pp. 10-11.

192 Collection of Legislation of the Russian Federation”, 31.07.2006, No. 31 (1 part), art. 3434.

and education of entrepreneurs in order to raise their awareness of corruption, its consequences and ways to counter it.

Such requirements for entrepreneurial activity arise from Article 13.3 of Federal Law No. 273-FZ, which establishes an obligation for organizations to develop and implement measures to prevent corruption. The second part of this article outlines the measures organizations must take to prevent corruption. This list of measures is not exhaustive, and programs and other local documents, as a rule, set out in detail the procedures aimed at preventing corruption in all areas of the organization's activities (codes of business ethics, appropriate personnel training, rules of special anti-corruption control, rules for participation in charitable activities, etc.).

Organizations should use all efforts (self-regulatory mechanisms) to develop anti-corruption measures, while taking into account the specifics of their activities, based, among other things, on such factors as location, size, and number of subsidiaries, and a set of risks. In general, organizations improve their anti-corruption programs through internal corporate tools, such as complaint handling and conflict-of-interest resolution. The focus on preventing corrupt practices applies not only to situations within companies. The Charter of Russian Business Companies adheres to the principle of mutual responsibility between business and the state and to coordinated, purposeful actions to effectively combat corruption.

Despite the fact that an exhaustive list of possible anti-corruption measures has not been established in relation to organizations, as well as their scope and content, judicial practice shows that failure to fulfill such obligations by organizations is a violation of anti-corruption legislation, and the relevant requirements for the organization to eliminate violations issued by the prosecutor's office are legitimate and justified¹⁹³.

The proceeds of corruption almost always have to be laundered, that is, appear legitimate to be spent, transferred, or invested. Countermeasures against "corruption"- related income are implemented, among other measures, through a system for civil servants to declare income and expenses, based on financial control and monitoring of wealth. The link between corruption and money laundering lies primarily in the more effective and efficient integration of AML/CFT and anti-corruption regimes through a multidisciplinary approach.

For example, in Article 8.1. Federal Law of 07.08.2001 No 115-FZ "On Countering the Legalization (Laundering) of Proceeds from Crime and the Financing of Terrorism"¹⁹⁴ stipulates that the authorized body, in order to combat

193 See: Decision Leninsky District Court of Orsk, Orenburg Region No 2-1205/2014 2-1205/2014-M-1124/2014 M-1124/2014 of July 21, 2014 // Judicial and Regulatory Acts of the Russian Federation. URL: <http://sudact.ru/regular/doc/ba9RjNQ4x0Yt/>

194 *Sobr. zakonodatel'stva Ross. Federatsii*. 2001. No 33 (Part I), Art. 3418.

corruption, is obliged to provide the heads (officials) of federal state bodies, list determined by the President of the Russian Federation, the highest officials of the constituent entities of the Russian Federation (heads of the supreme executive bodies of state power of the constituent entities of the Russian Federation) and the Chairman of the Central Bank of the Russian Federation upon their requests sent to the Order established by the President of the Russian Federation, the information available to him.

In turn, within the framework of the implementation of Control over the Legality of Receipt of Funds (Article 8.2 of Federal Law No. 273-FZ), the Prosecutor General of the Russian Federation, deputies of the Prosecutor General of the Russian Federation, prosecutors of the constituent entities of the Russian Federation, military and other specialized prosecutors equated to prosecutors of the constituent entities of the Russian Federation during the inspection shall be entitled to send requests to the authorized body in the field of combating the legalization (laundering) of proceeds from crime financing of terrorism and the financing of the proliferation of weapons of mass destruction are directed (paragraph 3 of part 10).

Such integration of the two systems will enable effective identification of suspicious transactions, hidden affiliations that lead to conflicts of interest, and financial offenses committed with officials' participation.

The constituent entities of the Russian Federation have formed the necessary legal framework for regulating anti-corruption issues. The laws of the constituent entities of the Russian Federation on combating corruption occupy a central place¹⁹⁵. All regions have adopted basic laws to combat and prevent corruption.

Along with them, the legal basis for combating corruption comprises multiple norms set out in legal acts governing the state civil service, municipal services, the status of individual state bodies of the constituent entities of the Russian Federation, and other areas of law-making, among others.¹⁹⁶

¹⁹⁵ See, for example: Law of the Astrakhan Region of 28.05.2008 No 23/2008-OZ "On Combating Corruption in the Astrakhan Region" // Collection of Laws and Normative Legal Acts of the Astrakhan Region. № 27. 2008; Resolution of the Cabinet of Ministers of the Republic of Tatarstan dated 19.07.2014 No 512 "On approval of the State program "Implementation of the anti-corruption policy of the Republic of Tatarstan for 2015 - 2020" // <http://minjust.tatarstan.ru/gosudarstvennaya-programma-realizatsiya.htm>; Order of the Mayor of Moscow dated 24.04.2015 No 303-RM "On Approval of the Procedure for the Development and Implementation of the Anti-Corruption Plan in the City of Moscow, Anti-Corruption Plans in the Executive Authorities of the City of Moscow, Structural Units of the Office of the Mayor and the Government of Moscow" // Bulletin of the Mayor and Government of Moscow, No 25. 2015.

¹⁹⁶ See, for example: Law of the Tyumen Region of September 28, 2011 No 54 "On the Chamber of Accounts of the Tyumen Region" // Bulletin of the Tyumen Regional Duma. 2011. No 8, part 2; The Law of the Sverdlovsk Region of October 18. No 72-OZ "On the Commissioner for Human Rights in the Sverdlovsk Region" // Collection of Legislation of the Sverdlovsk Region. 2010. № 10-8. Art. 1510; Law of the Altai Territory of November 9. No 122-ZS "On Law-Making Activity" // Collection of Legislation of the Altai Territory. 2006. No 127, part 2, p. 157; Law of Primorsky Krai of September 7, 2011 No 808-KZ "Code of Ethics and Service Behavior of State Civil Servants of Primorsky Krai" // Vedomosti of the Legislative Assembly of Primorsky Krai. 2011. № 199; Etc.2010 r2006 r

A distinctive feature of the content of the laws of the constituent entities of the Russian Federation is the broad scope of many norms that require inter-connection with other normative legal acts of the Russian Federation.

Because federal legislation aimed at combating corruption is regularly amended and supplemented, the constituent entities of the Russian Federation must timely update their relevant legislation¹⁹⁷.

At the regional level, the drawbacks of cross-sectoral institutions are evident. Thus, despite the fact that all constituent entities of the Russian Federation have adopted their own laws on combating corruption, the scope of competence of the regional legislator in this area is not legally defined¹⁹⁸; the laws of the constituent entities of the Russian Federation on combating corruption, on anti-corruption expertise of regulatory legal acts and draft regulatory legal acts often duplicate the provisions of Federal Law No. 172-FZ of July 17, 2009 “On Anti-Corruption Expertise of Regulatory Legal Acts and Draft Regulatory Legal Acts” (hereinafter referred to as Federal Law No. 172-FZ)¹⁹⁹. The laws of the constituent entities of the Russian Federation contain numerous referential norms, resulting in non-systematic, contradictory, and unstable legal regulation of many issues in this area.

As a problem in the field of the legal regulation of combating corruption at the regional level, the “overproduction” of anti-corruption legal norms at the regional and local levels is examined. Such a volume of “independent” rulemaking appears excessive. At the same time, municipal acts are often nearly identical to their federal counterparts²⁰⁰.

On the other hand, the problem of cross-sectoral regulation in combating corruption is the lack of such legal institutions, which, in turn, makes certain provisions of anti-corruption legislation impracticable.

As the Constitutional Court of the Russian Federation rightly notes, gaps and other defects in legislation often provoke various kinds of corruption manifestations (“Information “Constitutional and Legal Aspects of Improving Rule-Making Activities (Based on the Decisions of the Constitutional Court of the Russian Federation of 2013 - 2015)” (approved by the decision of the Constitutional Court of the Russian Federation of 23.06.2016). In the same document, the Constitutional Court of the Russian Federation identified gaps and inconsistencies as the most significant factors affecting the quality of legislation. At the same time, it was proposed to understand the gap in regulation as the formal absence of reg-

197 Rozenko S. V. Legislation of the Subject of the Russian Federation in the Field of Combating Corruption: Consistency, Problems of Development and Unification // Bulletin of the Yugra State University. 2015. № 4. P. 349.

198 Analytical research on the development of regulatory and legal support for combating corruption in the constituent entities of the Russian Federation. Moscow, 2017. Pp. 25-26.

199 Also op. cit., Pp. 18-19.

200 Also op. cit., p. 34.

ulation of social relations that need it from the point of view of the requirements for the protection of constitutional values and the implementation of constitutional principles, including the lack of regulation of certain material or procedural components in the structure of the legal relationship modeled by the norm, or the actual absence of the proper, i.e. ensuring the effective normative regulation of the relevant relations, Regulation. Due to inconsistent regulation, the body of constitutional proceedings identifies other defects in rulemaking caused by insufficient legal and technical elaboration, which give rise to contradictions between norms within the same branch (internal inconsistency) or between norms across different branches (external inconsistency).

The absence of necessary definitions in Federal Law No. 273-FZ and other federal laws creates significant problems for law enforcement. The consolidation of the concept of “anti-corruption education” at the legislative level, the establishment of the procedure and conditions for the implementation of relevant activities, is directly related to the formation and implementation of legal ideology, the introduction of anti-corruption standards as important components of individual and public legal consciousness. The law does not disclose the term “sufficient information”, which is one of the grounds for making a decision to carry out an audit when controlling expenses, there are no legally enshrined concepts of “corporate relations”, “other close relations”, “knowingness”, “unreliability” and “incompleteness” of information on income, expenses, property and property-related obligations, as well as their signs for assessing the nature and severity of the committed corruption offense, and, consequently, the application of liability measures to the persons who committed it.

Based on the fact that the institution of law is characterized by the presence of system-forming features, which in their entirety form a set of legal prescriptions and taking into account the intensive rule-making in the field of combating corruption, as well as the presence of a multiplicity of regulatory legal acts, the most effective and effective form of systematization of anti-corruption legislation is the grouping of its fundamental provisions into separate functional “sub-institutions” through their enlargement and consolidation on the basis of the subject of legal regulation. At the same time, being the central element (core) in the legal framework for combating corruption, the consolidated act – the Federal Law “On Combating Corruption”, containing “mechanically arranged” cross-sectoral norms, should perform the function of a connecting and coordinating link in the system of legal acts in the field of combating corruption. At the same time, the cross-sectoral institutions themselves must maintain functional ties within the multi-sectoral system of private and public law regulation of anti-corruption.

2 ANTI-CORRUPTION LEGISLATION AND DIGITALIZATION OF ANTI-CORRUPTION ACTIVITIES IN THE RUSSIAN FEDERATION

The term “digitalization” has gained significant popularity and is now firmly entrenched in the vocabulary of practicing lawyers and legal scholars. Most authors note that the scale and depth of changes associated with the use of digital and related technologies enable us to speak of a transition to a new technological order, which significantly affects legal relations and the legal culture of society. establishes new boundaries and patterns of legal life²⁰¹.

In the scientific literature, studies on the impact of digitalization on legal regulation²⁰² are common, but those that examine how digitalization affects the legislative framework and legal regulation in combating corruption remain rare²⁰³.

It should be noted that the goals of introducing digital technologies in state and public life are pragmatic and are mainly aimed at optimizing various processes, including accelerating the exchange of information, reducing bureaucratic red tape, optimizing the number of administrative staff, reducing corruption factors in the preparation of documents, providing online access to state and municipal services, etc. A positive example is the experience of Moscow and the Moscow Region in implementing the Unified Medical Information and Automatic System (EMIAS) and maintaining an electronic medical record²⁰⁴.

The use of digital technologies also increases the efficiency of prevention, detection, investigation, and suppression of offenses, including corruption, across various areas (procurement, road safety, trade, construction, banking, money laundering, terrorist financing, etc.).

At the same time, this coin has a downside, expressed in the fact that the modern dynamics of public relations, complicated by digitalization factors, is significantly accelerating. New digital processes affect all aspects of the law, including law enforcement. Previously successful models of law enforcement are

201 Khabrieva T.Y. Law before the challenges of digital reality. *Journal of Russian Law*. Vol. № 9. 2018. P. 6.; Tikhomirov Yu.A., Kichigin N.V., Tsomartova F.V., Balkhaeva S.B. Law and Digital Transformation. *Journal of the Higher School of Economics*. 2021. № 2. Pp. 4–23 and others.

202 Digitalization of Law Enforcement: Search for New Solutions: Monograph / D. A. Pashentsev, M. V. Zaloilo, A. A. Dorskaya [i dr.]; Holes. Ed. by D. A. Pashentsev. Moscow: Infotropik Media, 2022. – 140 p.; Mironov V. B. Transformation of Cultures – From Classical to Electronic // *Philosophy of Artificial Intelligence*. Proceedings of the All-Russian Interdisciplinary Conference. Moscow, 2017. P. 36. etc.

203 Counteraction to corruption and processes of digitalization / Y. V. Truntsevskiy, A. M. Tsirin, E. V. Cherepanova [i dr.]. – Moscow: Limited Liability Company “Infotropik Media”, 2023. – 196 p., Sevalnev V. V., Cherepanova E. V. Legal Foundations of Combating Corruption in the CIS States in the Conditions of Digitalization / V. V. Sevalnev, E. V. Cherepanova // *International Public and Private Law*. – 2022. – № 3. – Pp. 25-28.

204 For example: Decree of the Government of the Moscow Region dated 30.07.2018 No. 474/26 “On the State Information System “Unified Medical Information and Analytical System of the Moscow Region” (together with the “Regulation on the State Information System “Unified Medical Information and Analytical System of the Moscow Region”); Order of the Moscow Department of Health dated 15.02.2021 No. 120 “On Approval of the Regulations for Maintaining an Electronic Medical Record”, etc.

no longer effective in the current conditions. In this regard, law-making, as a systemic process, does not always keep pace with rapid social change; it often takes on a catch-up character, and law enforcement can lag even further.

The anti-corruption legislation of the Russian Federation, acting as a legal phenomenon, is characterized by the fact that it regulates various social relations and can be presented as a complex system of legal norms of different sectoral affiliation, from various legal sources, but institutionally interrelated with the basic Federal Law “On Combating Corruption” No 273-FZ²⁰⁵.

Anti-corruption legal norms go beyond the boundaries of branches of law and manifest themselves at the intersectoral and general legal level²⁰⁶, the legal array under consideration also contains reference or blanket norms²⁰⁷. Intersectoral legal institutions play an important role in the legal system, as they address areas of law across different branches. These institutions establish uniform standards and rules across all areas of law and ensure that their observance facilitates coordination among participants in legal relations, thereby strengthening the legal system and guaranteeing its functional unity and internal consistency.

The use of cross-sectoral categories in anti-corruption legal regulation led to intersectoral links and correlations across different legal domains. This has become a distinctive feature of these legal norms’ functionality, defining new vectors and goals of transformation in line with the latest legal tasks, including those related to digitalization.

At the doctrinal level, two major breakthrough technologies are used in global practice to combat corruption: Big Data and Data Analytics. Big data technology is an array of information used in the field of information technology when receiving, accumulating, systematizing, storing and using significant amounts of structured and heterogeneous information, which are formed from the corporate archives of state and municipal bodies, public organizations, the private sector, materials of social networks, forums, blogs, from the readings of sensors, devices, video monitoring tools, etc. Deep data analysis is the activity of working with information, its analysis, interpretation, classification, and systematization. In combating corruption, this can be achieved through analysis of the necessary information, enabling the prevention of corrupt acts and the identification of offenders.

On the other hand, digital technologies for counteraction can be divided into two broad categories based on the scope of their application. First, these are technologies that directly influence identification, analysis, forecasting, and mon-

205 For more details, see: *Combating Corruption: New Challenges: Monograph* / S.B. Ivanov, T.Y. Khabrieva, Y.A. Chikhanchin et al.; Holes. Ed. by T.Y. Khabrieva. Moscow: IZISP. 2016, Pp. 104-112.

206 Valiev R.G. *Legal Institutionalization and Institutions of Law: Conceptual Model*. Lex russica. 2020. № 4. P. 107.

207 Jalilova E.A. *Problems of Determining the Concept of the Institute and the Essence of Law* // *Bulletin of the Volga University named after V. N. Tatishchev*. 2018. № 1. P. 24.

itoring, aimed at preventing and countering corrupt practices. Secondly, these are technologies of indirect influence that promote the principles of efficiency, accountability, and transparency in the activities of state institutions in the context of corruption offenses.

It is also necessary to take into account the potential risks associated with the introduction of new technologies, and to pay attention to maintaining a balance between legal regulation and breakthrough technical solutions in order to ensure the stability of public administration.

In particular, in the text of the Order of the Ministry of Telecom and Mass Communications of the Russian Federation dated August 1, 2019 No 428 “On Approval of Clarifications (Methodological Recommendations) for the Development of Regional Projects within the Framework of Federal Projects of the National Program “Digital Economy of the Russian Federation” Federation”), digitalization (digital development) is understood as the process of organizing the performance in the digital environment of functions and activities (business processes) previously performed by people and organizations without the use of digital products, as well as the introduction of information technologies into each individual aspect of the activity²⁰⁸. It is noteworthy that the official document appears to contain a typo: this Order was issued on August 1, 2019, not on August 1, 2018. To a certain extent, this can characterize the state of digitalization processes within the department, which are insufficiently technologically advanced.

The Ministry of Construction, Housing and Utilities of the Russian Federation has developed an Order dated December 25, 2020 No 866/pr “On Approval of the Concept of the Smart City Urban Digitalization Project²⁰⁹”, which notes that Russia is at the beginning of the digitalization path, for the introduction of many urban services, it will first be necessary to build the basic infrastructure of smart cities - sensors and modernization of communication networks.

In such important strategic documents as the Decree of the President of the Russian Federation of October 10, 2019 No 490 “On the Development of Artificial Intelligence in the Russian Federation” (together with the “National Strategy for the Development of Artificial Intelligence for the Period up to 2030”)²¹⁰), the Decree of the President of the Russian Federation of May 7, 2024 No 309 “On the National Development Goals of the Russian Federation for the Period

208 Order of the Ministry of Telecom and Mass Communications of Russia dated August 1, 2019 No 428 “On Approval of Explanations (Methodological Recommendations) for the Development of Regional Projects within the Federal Projects of the National Program “Digital Economy of the Russian Federation” // ATP “ConsultantPlus”.

209 Order of the Ministry of Construction of Russia dated December 25, 2020 No 866/pr “On approval of the Concept of the project of digitalization of the urban economy “Smart City” // “Information Bulletin on Normative, Methodological and Typical Project Documentation”, No 1-2, 2021 (Order).

210 Decree of the President of the Russian Federation of October 10, 2019 No 490 “On the Development of Artificial Intelligence in the Russian Federation” (together with the “National Strategy for the Development of Artificial Intelligence for the Period up to 2030”) // Collected Legislation of the Russian Federation, 14.10.2019, No 41, Art. 5700.

up to 2030 and for the Future until 2036”²¹¹, Decree of the Government of the Russian Federation dated March 2, 2019 No. 234 “On the Management System for the Implementation of the National Program “Digital Economy of the Russian Federation” (together with the “Regulation on the Management System for the Implementation of the National Program “Digital Economy of the Russian Federation”)²¹² does not disclose the concept in question. However, the goals of the national development of the Russian Federation for the period up to 2030 and for the future until 2036 include, among other things, technological leadership and digital transformation of state and municipal administration, the economy, and the social sphere, which undoubtedly cannot be implemented without the widespread introduction of digitalization processes.

In combating corruption, digitalization intersects with and permeates the legal regulation of corruption. Available studies show that these areas are not only suppressed, but can even coincide²¹³.

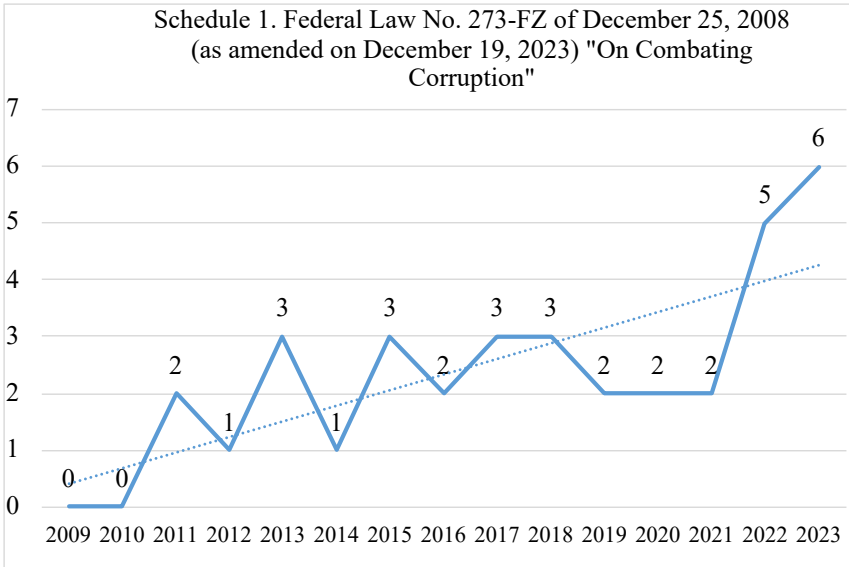
The anti-corruption legislation does not define the term “digitalization”. The impact of digital development processes on the array of anti-corruption legislation can be schematically identified using a chronological analysis of amendments to the basic Federal Law “On Combating Corruption”.

This regulatory act has been in force in Russia for more than 15 years. As of April 2024, the law has 36 editions reflecting relevant changes, distributed by year, as shown in the table below. The upward trend in the annual number of changes is also noteworthy and may indicate, among other things, the intensification of norm revision in the legal act in line with current requirements for digital development processes in the state.

211 Decree of the President of the Russian Federation of May 7, 2024 No 309 “On the National Goals of Development of the Russian Federation for the Period up to 2030 and for the Future until 2036” // Collected Legislation of the Russian Federation, 13.05.2024, No 20, Art. 2584

212 Decree of the Government of the Russian Federation of March 2, 2019 No 234 “On the Management System for the Implementation of the National Program “Digital Economy of the Russian Federation” (together with the “Regulation on the Management System for the Implementation of the National Program “Digital Economy of the Russian Federation”)” // Collected Legislation of the Russian Federation, 18.03.2019, No. 11, Art. 1119.

213 Tikhomirov Yu.A., Kichigin N.V., Tsomartova F.V., Balkhaeva S.B. Law and Digital Transformation. Journal of the Higher School of Economics. 2021. № 2. Pp. 4–23.



In 2008, when it was adopted, digitalization processes were in their infancy, so the first version of the law contained no norms on digitalization.

In our opinion, significant progress began to occur in 2013-14 in connection with the digitalization of the mechanisms for submitting information on income, property, and property-related liabilities and reporting on expenses regulated by the provisions of Articles 8 and 8.1 of the Federal Law “On Combating Corruption”, as well as the introduction of relevant amendments to the applicable legislation²¹⁴. In particular, a special software “BC Certificate” appeared, and a unified form of this certificate was also approved, enshrined in the norms of the Decree of the President of the Russian Federation of June 23, 2014 No 460²¹⁵. The software for generating the required reporting documents was publicly available on the Federal State Information System website for the civil service.

A relatively simple digital product was introduced, which transformed the previously used process of filling out a special form manually into the use of a special program that generates the necessary document, and at the end, the user only certifies the last page of the certificate with a personal signature. This

²¹⁴ Decree of the President of the Russian Federation of April 2, 2013 No 309 “On Measures to Implement Certain Provisions of the Federal Law “On Combating Corruption” (together with the “Regulation on the Procedure for Sending Requests to the Federal Financial Monitoring Service in the Implementation of Inspections for the Purpose of Combating Corruption”) // Collected Legislation of the Russian Federation, 08.04.2013, No 14, Art. 1670.

²¹⁵ Decree of the President of the Russian Federation of June 23, 2014 No 460 “On Approval of the Form of Reference on Income, Expenses, Property and Property Obligations and Amendments to Some Acts of the President of the Russian Federation” / Collected Legislation of the Russian Federation, 30.06.2014, No 26 (Part II), Art. 3520.

was the first large-scale promotion of digitalization in the anti-corruption sphere, and the pace of digital innovation subsequently increased steadily.

In 2018, Article 15 “Register of Persons Dismissed Due to Loss of Confidence” appeared in the text of the Federal Law “On Combating Corruption”, in particular, Part 2 of this article establishes that the register is subject to posting on the official website of the federal state information system in the field of public service in the information and telecommunication network “Internet”²¹⁶. The Institute of Legislation and Comparative Law under the Government of the Russian Federation conducts scientific and practical research of open data contained in the register, and as a result, publishes one of the first information and analytical bulletins in the Russian Federation, “Anti-Corruption”.²¹⁷

Large-scale qualitative changes in the digital development of anti-corruption legislation began to take place in 2022 in connection with the adoption of the Decree of the President of the Russian Federation dated April 25, 2022 No 232 “On the State Information System in the Field of Combating Corruption “Poseidon” and Amendments to Certain Acts of the President of the Russian Federation” (together with the “Regulation on the State Information System in the Field of Combating Corruption “Poseidon”)²¹⁸.

This system enables federal agencies and other organizations to verify information and implement other anti-corruption measures. For example, the system can show, based on data from various information resources, whether the employee complied with restrictions, prohibitions, and requirements. Its coordinator is the Administration of the President of the Russian Federation, which also determines the subjects and the amount of information transmitted to the system.

Government agencies and organizations, in agreement with the system coordinator, must issue an act on the procedure for applying the system. The Government of the Russian Federation, by its regulatory legal act, will establish the specifics of work for those who also use the civil service portal. Users of the system are registered by its operator - the Federal Protective Service of the Russian Federation. Access to information will be provided free of charge.

In 2012, the Information System for Interdepartmental Electronic Interaction (IS MEV) was created and is operating; the list of documents and information exchanged using the SMEV was approved by the Decree of the Government

216 Register of persons dismissed in connection with the loss of trust (list) // URL: <https://gossuzhba.gov.ru/reestr?ysclid=lw7uak4rsr478194551>

217 More details. See: Counteraction to Corruption: Information and Analytical Bulletin (2022) / Y. V. Truntsevsky, A. M. Tsinin, V. V. Sevalnev [i dr.]. – Moscow: Limited Liability Company “Publishing House “Jurisprudence”, 2023. – 112 p.; Counteraction to corruption: Information and analytical bulletin (2023) / Yu. – Moscow: Limited Liability Company “Publishing House “Jurisprudence”, 2024. – 128 p.

218 “On the State Information System in the Field of Combating Corruption “Poseidon” and Amendments to Certain Acts of the President of the Russian Federation” (together with the “Regulations on the State Information System in the Field of Combating Corruption “Poseidon” // Collected Legislation of the Russian Federation, 02.05.2022, No 18, Art. 3053.

of the Russian Federation dated August 15, 2012, No. 1471-r. state databases available in the Federal Tax Service of Russia, Rosreestr, the Ministry of Internal Affairs of Russia, the Ministry of Digital Development of Russia, the Federal Financial Monitoring Service, the Federal Forestry Agency, etc.

Significant positive experience in digitalizing the processes of submitting income information, automating the process of admission, and analysis has been accumulated in the constituent entities of the Russian Federation. In particular, in the Khanty-Mansiysk Autonomous Okrug – Yugra (hereinafter referred to as the Khanty-Mansiysk Autonomous Okrug).

In this constituent entity of the Russian Federation, the Law of the Khanty-Mansiysk Autonomous Okrug – Yugra of September 25, 2008 No 86-oz “On Measures to Combat Corruption in the Khanty-Mansiysk Autonomous Okrug – Yugra” was adopted, and in October 2023, amendments were made to the Law of the Khanty-Mansiysk Autonomous Okrug – Yugra of December 31, 2004 No 97-oz “On the State Civil Service in the Khanty-Mansiysk Autonomous Okrug – Yugra” in terms of submitting information on income for state civil servants only in electronic form using the information system Personnel Department of the Khanty-Mansiysk Autonomous Okrug – Yugra.

According to the Department of State Civil Service, Personnel Policy and Corruption Prevention of the Khanty-Mansiysk Autonomous Okrug – Yugra²¹⁹, during the 2024 declaration campaign, it is planned that more than 2300 state civil servants and persons holding municipal positions, more than 4000 municipal employees, and more than 250 heads of subordinate institutions of the region will provide information in electronic form.

Table. Comparison of the processes for submitting information on income and expenses in the Russian Federation and the Khanty-Mansi Autonomous Okrug

	Russian Federation	Khanty-Mansiysk Autonomous Okrug
1.	Filling in the information in the secondary vocational education “BC Certificates”	Filling in the information in the secondary vocational education “BC Certificates”
2.	Printing the Certificate (at least 15 pages)	Signing the certificate with an electronic signature
3.	Handwritten signing	Submission of a certificate through a personal account on the management portal “Team of Ugra”
4.	Personal visit to the authorized body / sending the certificate by mail (+ postage costs)	Receipt of the certificate in the GIS of the Management Company of Ugra (module “Anti-corruption” based on 1C Enterprise)
5.	Handwritten signature by the host	Acceptance and Initial Processing of Certificates by an Employee of the Authorized Body
6.	Storage of Certificates on paper in the personal file (takes up significant space)	Verification of an electronic signature using the e-trust.gosuslugi.ru service
7.		Automatic upload of a file in *.xsb format and its transfer to AIS “Poseidon-R”
8.		Obtaining data from the AIS “Poseidon”
9.		Analysis and report

219 URL: <https://depgs.admhmao.ru>

An analysis of the results of the implementation of such a digital approach in the Khanty-Mansiysk Autonomous Okrug showed that there was a significant reduction in the time for providing certificates, automation of the collection and primary processing of information, an increase in the efficiency of receiving and processing the materials provided, an acceleration of auxiliary processes (consultations), a reduction in the number of cases of submitting updated information, and a decrease in the number of violations identified. Comparative data are presented in the table below.

Table. Quantitative indicators of declarative companies in the Khanty-Mansi Autonomous Okrug for 2020-2022 and 2023.

2020-2022 years	Year 2023
10 representations of the prosecutor's office were received to eliminate violations of the law related to the provision of inaccurate information about income by persons holding municipal positions in Ugra	3 submissions were received from the prosecutor's office to eliminate violations of the law related to the provision of false information about income by persons holding municipal positions in Ugra
175 checks of the accuracy and completeness of income information were carried out	29 checks of the accuracy and completeness of income information were appointed
167 persons holding municipal positions committed violations when filling out income certificates	27 persons holding municipal positions committed violations when filling out income certificates
84 persons holding municipal positions were brought to justice. 5 deputies resigned during the period of inspections	9 persons holding municipal positions were brought to justice. 2 deputies resigned during the period of inspections
83 persons holding municipal positions were not held accountable due to the insignificance of the violations committed, as well as in connection with the early termination of powers	12 deputies were not brought to justice due to the insignificance of the violations committed

The experience of the Khanty-Mansiysk Autonomous Okrug shows that it is necessary to continue the development of digitalization processes in this area, for example, it is possible to add new options that allow you to submit notifications through the appropriate portal about the emergence of personal interest, the intention to perform other paid work, the management of an economic entity, the receipt of gifts, etc. It is advisable to continue connecting municipal employees, heads of state, and municipal institutions to the "Anti-Corruption" module to enter the necessary information about them and their relatives.

According to experts from the Department of State Civil Service, Personnel Policy and Corruption Prevention of the Khanty-Mansiysk Autonomous Okrug, digital integration with the Anti-Corruption module of the Khanty-Mansiysk Autonomous Okrug and third-party services and systems for interdepartmental electronic interaction (SMEV, Spark, Kontur, Risk-Monitoring, etc.) can have a significant impact. This will allow for more effective monitoring of employees, heads of institutions for conflicts of interest, affiliation with organizations and individuals when concluding contracts, providing support measures, other violations of the law, as well as monitoring persons dismissed from service within two years in order to ensure compliance with the requirements of Article 12 of the Federal Law "On Combating Corruption".

In another constituent entity of the Russian Federation, the Tula Region, special automatic anti-corruption modules are also being introduced on the 1C: Enterprise platform. Thus, in 2023, the Ministry for Control and Prevention of Corruption Violations of the Tula Region developed a “Program for Automation of Anti-Corruption Activities: ‘Certificate of Income and Expenses’ (additional module) on the 1C: Enterprise platform (AIS “1C: Income Certificate”) of the regional information system of the Government of the Tula Region²²⁰. This module allows you to automatically receive:

- a. data on civil servants and their relatives from the regional AIS “Personnel Management” (administered by the Main Directorate of Civil Service and Personnel of the Government of the Tula Region);
- b. data on recipients of budget funds from the regional AIS “Budget Execution” (administered by the Ministry of Finance of the Tula Region) and with the help of a number of auxiliary programs to search for possible affiliation between them.

The data of the Department for Supervision over the Implementation of Anti-Corruption Legislation of the Prosecutor General’s Office of the Russian Federation show that from year to year, the first place in terms of the number of violations of anti-corruption obligations, non-compliance with prohibitions and restrictions is associated with the provision of information on income, property and property-related obligations. Then, with a significant quantitative lag, there are non-settlement of conflicts of interest, submission of information on expenses, failure to notify of inducement to a corruption offense, participation in entrepreneurial activities, management of an economic entity, etc.

Table. Number of violations of non-fulfillment of anti-corruption obligations, non-compliance with prohibitions and restrictions²²¹.

Type of violation	Year 2022	9 months of 2023
submission of information on income, property and property-related liabilities	99 650	72 000
Failure to resolve conflicts of interest	3907	about 4000
Expense reporting	1038	650
failure to notify of inducement to a corruption offense	321	342
participation in entrepreneurial activity, management of an economic entity	308	256

In public joint-stock companies, organizations created to fulfill the tasks assigned to the Government of the Russian Federation, commercial organizations, digital transformation is also taking place, including in the field of combating corruption. However, for these entities, due to their legal status, and, accordingly, the extension of anti-corruption requirements only to a certain level of em-

220 Summary report on the implementation of the Regional Anti-Corruption Plan for 2023 // URL:https://tularegion.ru/governance/protivkorr/Doklad/?ELEMENT_ID=386992

221 Collection of reports of participants in the educational and methodological seminar “Prevention of corruption violations” // URL: <https://epp.genproc.gov.ru/web/gprf/search?article=94757558>

ployees, the introduction of automated systems related to For example, in 2018, PJSC Rostelecom introduced an automated Compliance Control system, which made it possible to more effectively manage conflicts of interest and consider requests received through feedback channels. This system allows users to complete and review declarations of conflict of interest electronically²²². At Sberbank, more than 90% of mandatory reporting is generated automatically to mitigate corruption risks.²²³

In connection with the above and taking into account the existing positive experience of “advanced” digitalization of certain constituent entities of the Russian Federation, representatives of public joint-stock companies, organizations created to fulfill the tasks assigned to the Government of the Russian Federation, commercial organizations, it seems appropriate to consider the issue of amending legislation at the federal level aimed at further digitalization of anti-corruption legislation. In particular, given the large volume of violations of the anti-corruption legislation related to the obligation to provide information on income, expenses, property, and property-related liabilities of one’s own, spouse, and minor children, it seems reasonable for the public sector to provide for this process in electronic form.

This can be implemented by appropriate amendments to the Federal Law “On Combating Corruption”, the Federal Law “On the State Civil Service” and other laws related to the submission of information on income; to the Decrees of the President of the Russian Federation of June 23, 2014 No. 460 “On Approval of the Form of the Certificate of Income, Expenses, Property and Liabilities: Property and Amendments to Certain Acts of the President of the Russian Federation”, of May 18, 2009 No. 559 “On the Submission of Information on Income by Citizens Applying for Positions in the Federal Public Service and Federal Public Servants On Property and Property-Related Liabilities”, dated May 30, 2005 No. 609 “On Approval of the Regulation on the Personal Data of the State Civil Servant of the Russian Federation and the Maintenance of His Personal File”, etc. or its integration with the State Services portal. It is also possible to transfer, in electronic form, the processes related to the identification and resolution of conflicts of interest, based on the experience of private-sector organizations.

There are contradictions in the legislation governing the submission of requests to credit institutions during inspections that need to be addressed. In particular, Presidential Decree No. 309 of April 2, 2013 “On Measures to Implement Certain Provisions of the Federal Law “On Combating Corruption” approved a list of officials authorized to send requests, including to credit institutions, when

²²² Collection of reports of participants in the educational and methodological seminar “Prevention of corruption violations” // URL: <https://epp.genproc.gov.ru/web/gprf/search?article=9475755>

²²³ Anti-corruption rating of Russian business - 2023 // URL: https://rspb.ru/upload/content/cbe/13i7o31ffufd-godw2nm6wt874xo3kokj/Itogovvy-doklad-_5_.pdf

carrying out inspections for the purpose of combating corruption, which includes the heads of the bodies of the constituent entities of the Russian Federation for the prevention of corruption and other offenses. However, in accordance with paragraph 6 of Article 26 of the Federal Law of 02.12.1990 No 395-1 “On Banks and Banking Activities”, the heads of the bodies of the constituent entities of the Russian Federation for the prevention of corruption and other offenses, specially authorized by the highest officials of the constituent entities of the Russian Federation and directly subordinate to them, are not included in the list of persons. In this regard, there are often refusals to provide the requested information, which reduces the effectiveness of the inspections carried out.

As can be seen, a serious problem that reduces the effect of the use of digital technologies to combat corruption is the insufficiency of the legal framework, the inconsistency of certain norms, in general, the lag of federal legislation in this area from the rapidly developing processes of social life. This also applies to general legislation on digital technologies (in particular, artificial intelligence technologies; the admissibility of using the results of their work as Evidence; guarantees of the rights of citizens in respect of whom various measures are carried out using such technologies), as well as basic anti-corruption legislation, in particular, the lack of electronic declaration capabilities, the unrelated and fragmented nature of available digital resources (Spark, Marker, X-Compliance, etc.).

It should also be taken into account that digital technologies can be used for criminal activities related to money laundering, fraud, and cybercrime. It is always necessary to balance state regulatory policy with breakthrough technical means to address ethical dilemmas related to human rights and other pressing legal issues.

It seems that the numerous scientific and individual methodological materials developed recently²²⁴ will make it possible to effectively address the identified shortcomings at the doctrinal and legislative levels and create a solid legal basis for the widespread introduction of “advanced” digital technologies in the field of anti-corruption legislation based on the use of Russian information and telecommunication technologies and the formation of a new sovereign technological basis.

The analysis of anti-corruption legislation through the prism of digitalization of anti-corruption activities in the Russian Federation made it possible to formulate a number of conclusions:

1. Given the positive experience of digitalization in various areas, it is advisable to consider changes in federal legislation for further digitalization of

²²⁴ See: Methodology, Digitalization, Interaction with Control and Law Enforcement Agencies; development of employees' competencies, implementation of foreign experience, improving the openness of the Chamber of Accounts // URL: <https://ach.gov.ru/upload/iblock/f1b/f1b42270cb92a6e8560171673d3df3af.pdf>

anti-corruption measures. In particular, it is necessary to transfer the process of submitting information on income, expenses, property and property-related liabilities to electronic format, which will require amendments to the laws “On Combating Corruption”, “On the State Civil Service”, as well as the relevant decrees of the President. It is necessary to modernize the Bookmaker Help software, including authorization through an electronic signature and integration with the State Services portal. It is also worth digitizing the processes of identifying and resolving conflicts of interest, drawing on the experience of the private sector.

1. There are contradictions in the legislation when sending requests to credit institutions during inspections. Presidential Decree No. 309 of April 2, 2013, defines the officials authorized to send such requests, but they are not included in the similar list of the Federal Law “On Banks and Banking Activities”. This leads to refusals to provide information, which reduces the effectiveness of checks.
2. A serious problem that reduces the effect of the use of digital technologies in the fight against corruption is the lack of a legal framework and inconsistency of norms. Federal legislation lags behind the rapidly developing social processes. The issues of the admissibility of using artificial intelligence as evidence and guarantees of citizens’ rights are not covered. The basic anti-corruption legislation does not have the possibility of electronic declaration, and the available digital resources are not integrated.
3. Digital technologies can be used for criminal activities related to money laundering, fraud, and cybercrime. It is important to maintain a balance between regulatory policy and technological means, addressing ethical and legal issues.
4. Recently developed scientific and methodological materials can help to effectively address the identified shortcomings and create a solid legal basis for the introduction of digital technologies in anti-corruption legislation, based on Russian information and telecommunication technologies.

3 DEVELOPMENT OF ANTI-CORRUPTION LEGISLATION IN FOREIGN COUNTRIES

Combating corruption is not just an important item on the agenda, but a key priority for individual countries and the world community as a whole. Corruption is a serious obstacle to sustainable economic and social development, affecting all levels, from global organizations to local communities. It undermines

trust in government institutions, weakens governance and creates an environment conducive to crime and inequality.

In the international arena, countries are actively cooperating in the fight against corruption, developing and implementing new anti-corruption rules and directives. Such initiatives include international agreements, such as the UN Convention against Corruption, and national strategies to increase the transparency and accountability of government agencies. Special structures and bodies are being created to monitor and prosecute corruption offenses, information technologies are being introduced to ensure openness and the involvement of citizens in the control process²²⁵.

National governments are strengthening legislative frameworks, imposing harsh penalties for acts of corruption, conducting anti-corruption investigations and trials involving senior officials, and organizing educational programs to raise public awareness of anti-corruption practices. Civil society and the media play an important role in identifying and exposing corruption cases through investigative journalism and public initiatives²²⁶.

Thus, the fight against corruption is carried out at all levels: from international organizations to national governments and local communities, with the active participation of citizens and public organizations. Regular updating of anti-corruption measures and their adaptation to modern challenges are critical to ensuring the fair and sustainable development of society.

Kazakhstan was the first among the CIS countries to develop anti-corruption legislation on a systematic basis²²⁷. On March 17, 1992, three months after the adoption of the Constitutional Law on the Independence of the Republic, the Decree of the President of the Republic of Kazakhstan “On Measures to Strengthen the Fight against Organized Forms of Crime and Corruption” was issued. It appeared in response to the activation of criminal structures in the country, the object of which was the state apparatus²²⁸.

The privatization process in Kazakhstan has acted as a catalyst for the growth of illegal activities. The lack of experience and the lack of adequate regulatory regulation of the newly created state property management committees

225 Matveev V. V. Rol' mezhdunarodno-pravovogo regulirovaniya protivnosti korruptsii v dostizhii tselyakh ustoychivogo razvitiya [The role of international legal regulation of combating corruption in achieving the goals of sustainable development] / V. V. Matveev // *Mezhdunarodnoye publichnoye i chastnoye pravo*. – 2023. – № 2. – Pp. 37-40. – DOI 10.18572/1812-3910-2023-2-37-40. – EDN JTLBSR.

226 Legal Foundations of Combating Corruption: International and National Standards and Initiatives: Monograph: in 2 vols. Vol. 1 / Ed. Khabrieva, R.A. Kurbanova. — M.: Prospekt, 2020. — 483 p.

227 Pass Andrey Arkadyevich Evolution of Anti-Corruption Legislation of the Republic of Kazakhstan during the Presidency of N. A. Nazarbayev // *Bulletin of the Udmurt University. Sociology. Political science. International relations*. 2020. №2. Available at: <https://cyberleninka.ru/article/n/evolyutsiya-antikorrupcionnogo-zakonodatelstva-respubliki-kazhstan-v-period-prezidentstva-n-a-nazarbaeva> (accessed: 26.05.2024).

228 Sevalnev V. V., Cherepanova E. V. Pravovyye osnovy protivivotsii korruptsii v gosudarstvennykh - uchastnikakh SNG v usloviyakh tsifrovizatsii [Legal foundations of combating corruption in the CIS countries in the context of digitalization] / V. V. Sevalnev, E. V. Cherepanova // *Mezhdunarodnoye public and private law*. – 2022. – № 3. – Pp. 25-28. – DOI 10.18572/1812-3910-2022-3-25-28. – EDN MYBOYX.

provided fraudsters and unscrupulous officials with the opportunity to use the situation for illegal enrichment. In these conditions, there is an urgent need for urgent intervention to combat corruption.

According to the decree, the heads of the authorities participating in privatization had to submit declarations on the financial situation of their families. They were also strictly forbidden to accept gifts from organizations and citizens in connection with the performance of official duties.

On 16 July 1997, the Criminal Code of the Republic of Kazakhstan was adopted, according to which corruption offences provided for deprivation of the right to hold certain positions and engage in certain activities, as well as the confiscation of the property of convicts. Chapter 13 of the Criminal Code of the Republic of Kazakhstan (Articles 307-315) establishes penalties for corruption violations against the interests of the civil service, including significant fines and prison terms.

On July 2, 1998, the Law “On Combating Corruption” was adopted, which was subsequently significantly revised and updated by the Law “On Combating Corruption” in 2015, with further amendments on April 6, 2016. The law expanded the conceptual framework to include “representatives of the quasi-public sector” and introduced the terms “conflict of interest”, “anti-corruption restrictions” and “corruption risk”. Norms for the promotion and protection of persons assisting in the fight against corruption have also been introduced.

The implementation of the law was expected to strengthen democracy, transparency and control in the field of governance, increase citizens’ confidence in the state and attract worthy candidates for the civil service, supporting the principle of meritocracy. However, resistance to the reforms from certain officials required further changes. The Law “On Civil Service”, which came into force on July 23, 1999, was amended and improved, the current version with amendments is valid from April 6, 2016.

This law was the first in the post-Soviet space to divide civil servants into political and administrative. As an example, the experience of Singapore was taken - a country where corruption was practically eliminated²²⁹. The legislator has introduced a mandatory competitive selection for administrative civil service positions and provided for social protection of those who replace them in the event of a change in political civil servants.

On May 16, 2002, Kazakhstan adopted the Law “On Public Procurement” to combat corruption in this area. The law has undergone many changes and was replaced by new versions in 2007 and 2015.

²²⁹ Mukhatayeva G. Principle of Meritocracy in Kazakhstanian State Administration. Kazakhstan Institute for Strategic Studies under the President of the Republic of Kazakhstan. [Electronic resource]. URL: <http://kisi.kz/ru/categories/politicheskaya-modernizaciya/posts/princip-meritokratii-v-kazahstanskom-gosudarstvennom-up>

The Law “On Public Services”, adopted on April 13, 2015, includes Article 21, which minimizes direct contacts between civil servants and citizens through electronic forms of services.

Since January 1, 2015, a new Criminal Code of the Republic of Kazakhstan has been in force with a separate chapter on corruption offenses, reflecting modern trends.

In January 2023, amendments were made to the anti-corruption legislation establishing liability for illegal enrichment, standards of conduct and protection of whistleblowers. The Law of January 3, 2023, No188-VII includes:

1. Liability for unjust enrichment.
2. Standards of conduct.
3. Protection of applicants.

Anti-corruption legislation is also actively developing in other states of the Eurasian Economic Union (EAEU) and the Central Asian region. For example, in the Kyrgyz Republic, the structure of the legal framework for combating corruption includes several key regulatory legal acts.

The main document regulating the fight against corruption is the Constitution of the Kyrgyz Republic, adopted on June 27, 2010. This document establishes the basic principles and foundations of state policy, including anti-corruption measures.

The Law of the Kyrgyz Republic dated August 8, 2012, No 153 “On Combating Corruption” (hereinafter referred to as the Law of the Kyrgyz Republic No 153 “On Combating Corruption”) is a key legal act regulating anti-corruption measures. According to this law, anti-corruption measures must be carried out by state authorities, local governments, civil society institutions, as well as organizations and individuals within their powers (Part 2 of Article 1, Article 5).

Other important normative acts are:

- i. Law of the Kyrgyz Republic dated May 30, 2016, No. 75 “On the State Civil Service and Municipal Service”, which regulates issues related to the state and municipal service, including norms aimed at preventing corruption among civil servants and municipal employees.
- ii. Code of the Kyrgyz Republic on Violations dated April 13, 2017, No 587 (hereinafter referred to as the Code of Laws of the Kyrgyz Republic), which establishes penalties for administrative offenses, including corruption acts.
- iii. Criminal Code of the Kyrgyz Republic dated February 2, 2017, No 191 (hereinafter referred to as the Criminal Code of the Kyrgyz Republic), containing articles relating to criminal liability for serious corruption crimes.

- iv. Code of the Kyrgyz Republic on Misdemeanors dated February 1, 2017, No 182 (hereinafter referred to as the Code of Criminal Offenses of the Kyrgyz Republic), which provides for penalties for less serious offenses, including offenses of a corruption nature.
- v. Criminal Procedure Code of the Kyrgyz Republic dated February 2, 2017 No 203 (hereinafter referred to as the Criminal Procedure Code of the Kyrgyz Republic), which regulates the procedural aspects of the investigation and trial of criminal cases, including those related to corruption.

These regulations together form a comprehensive mechanism for combating corruption, supporting the efforts of the state and society in this area. It is important to note that in accordance with the Law of the Kyrgyz Republic No 153 “On Combating Corruption”, anti-corruption measures should be implemented comprehensively, with the participation of not only state bodies, but also local governments, civil society institutions, as well as organizations and individuals, each within its powers and capabilities.

A comprehensive anti-corruption system has been developed and implemented in the Republic of Belarus, including the creation of anti-corruption legislation and mechanisms for its implementation. The powers of state bodies have been formulated and delineated, as well as their interaction to combat corruption has been established. Special units responsible for combating corruption have been established and commissions, coordination councils and meetings had been formed at various levels to combat crime and corruption. There are information, analytical and forensic centers, and scientific support for the activities of anti-corruption bodies. Citizens, public organizations and labor collectives are actively involved in anti-corruption activities, including through the state media.

The national legislation of the Republic of Belarus defines measures and principles for combating corruption, includes specific organizational and preventive measures, as well as mechanisms for eliminating the consequences of corruption offenses. The competencies of specific subjects, a list of special measures and a system for monitoring the implementation of legislative prescriptions have been determined. The legislation also provides for criminal liability for corrupt crimes.

All these measures serve as the foundation for effective anti-corruption and ensuring the security of the state. At present, along with the Law of the Republic of Belarus “On Combating Corruption”, the main regulatory legal acts aimed at combating corruption are also the laws of the Republic of Belarus “On the Prosecutor’s Office of the Republic of Belarus”, “On Civil Service in the Republic of Belarus”, “On Declaration by Individuals of Income, Property and Sources of Funds”, “On Measures to Prevent the Legalization of Illegally Obtained Income” and “On Combating Organized Crime”.

Among the decrees of the Head of State are the following: Decree of the President of the Republic of Belarus of September 23, 2010 No. 485 “On the State Program for Combating Crime and Corruption for 2010-2012”; Decree of the President of the Republic of Belarus of December 17, 2007 No. 644 “On Approval of the Regulations on the Activities of the Coordination Meeting on Combating Crime and Corruption”; Decree of the President of the Republic of Belarus of October 16, 2009 No. 510 “On Improvement of Control (Supervision) Activities in the Republic of Belarus”; Decree of the President of the Republic of Belarus of May 29, 2007 No. 244 “On Criminological Examination of Draft Laws of the Republic of Belarus”; Decree of the President of the Republic of Belarus of March 17, 2004 No. 136 “On Trust Management of Participation Interests (Shares, Rights) in the Authorized Funds of Commercial Organizations Owned by Individual State Officials”.

Anti-corruption measures are enshrined in the Law “On Combating Corruption”, namely: financial control; restrictions for state (officials); a special procedure for decision-making by state bodies in the economic sphere.

Considering the issue of combating corruption in international practice, it is necessary to pay attention to the best practices of the BRICS countries. The regulatory framework for combating corruption in South Africa is provided by numerous legal acts, including the Constitution of the Republic of South Africa dated May 8, 1996, the Code of Criminal Procedure dated April 21, 1977 No. 51, the Law dated April 27, 2004 No. 12 “On Preventing and Combating Corruption”, the Law dated June 3, 1994 No. 103 “On the Civil Service”, the Civil Service Regulations dated January 5, 2001 No. 15, Law No. 32 of June 24, 1998 “On the Prosecutor’s Office”, Law No. 8 of April 1, 1947 “On Commissions” and other regulatory documents. The Law of April 27, 2004 No. 12 “On Preventing and Combating Corruption” was adopted in order to strengthen measures to prevent and combat corruption, to ensure operational and investigative actions to combat corruption, and to establish restrictions for persons and enterprises convicted of corrupt practices.

India also has an extensive set of anti-corruption legislation. Among them, the Indian Penal Code No. 45 of October 6, 1860, the Prevention of Corruption Act No. 49 of September 9, 1988, the Code of Criminal Procedure of India No. 2 of January 25, 1974, the Benami Prohibition of Transactions Act No. 45 of May 19, 1988, the Prevention of Money Laundering Act No. 15 of January 17, 2003, are particularly notable. Access to Information Law No 22 of June 15, 2005, Lokpala and Lokayuktas Law No 01 of January 1, 2014, Companies Law No 18 of August 29, 2013, Undisclosed Foreign Income and Assets Law No 22 of May 26, 2015, Whistleblower Protection Law No 17 of May 9, 2014 and others. In accordance with the provisions of the Indian Penal Code No 45 of October 6, 1860,

civil servants are considered to be public officials, officers of the armed forces, members of the navy or air force, police officers, judges and court officials, as well as any local authorities established by federal or regional law. Chapter IX of the Indian Penal Code deals with offences committed by public officials, but a number of articles of the Chapter dealing with corruption (Sections 161 to 165A) have been repealed by the Prevention of Corruption Act No. 49 of 9 September 1988.

The development of anti-corruption legislation in the PRC goes through several stages²³⁰. The first stage covers the period after the formation of the PRC in 1949, when the Communist Party of China and the government took a course to combat corruption and the formation of anti-corruption authorities began.

State organs of procuratorate, government control organs and organs for discipline inspection were established in the ranks of the Communist Party of China. The rules for punishment for corruption were developed and adopted on April 18, 1952 (became invalid on November 24, 1987), 2 years before the adoption of the first Constitution of the PRC in 1954²³¹. The Rules for Punishment for Corruption became the first regulatory legal document in the field of combating corruption in the country.

The second stage in the development of legislation refers to the initial period of the policy of reforms and the formation of an open economy to attract foreign investment to the country (the end of the 1970s). During the transformation of the state's economy, corruption increased, which required the adoption of new effective measures to counteract it. At the legislative level, the Criminal Procedure Law of the People's Republic of China was adopted in 1979 and the Criminal Code of the People's Republic of China in 1997 (Article 155 "Corruption", Article 185 "Bribery", etc.).

The third stage is characterized by the development of the legislative framework in the context of the country's transition to a socialist market economy, the intensification of the globalization of the world economy and the integration of the PRC into the world economic system. The economic boom that began in China, accompanied by an increase in the inflow of foreign investment, entailed the need to strengthen anti-corruption legislation. At this time, new anti-corruption acts were adopted. In addition, China has begun the process of implementing the provisions of international treaties in the field of combating corruption and money

230 Matulis, S. N. Law-making and law enforcement practice in the People's Republic of China in the field of combating corruption. Review of the monograph by Y.V. Truntsevsky, V.V. Sevalnev, A.N. Sukhareenko "Combating Corruption in China: Legislation and Law Enforcement". Moscow, Prospekt Publ., 2019. 176 p. / S. N. Matulis, V. V. Matveev // *International Public and Private Law*. – 2018. – № 6. – Pp. 42-45. – EDN VMVSDA.

231 Tsirin A. M., Cherepanova E. V., Matveev V. V. Constitutional and legal guidelines for combating corruption (review of the Tenth Eurasian Anti-Corruption Forum) / A. M. Tsirin, E. V. Cherepanova, V. V. Matveev // *Journal of Foreign Legislation and Comparative Law* – 2021. – T. 17, No 5. – Pp. 125-143. – DOI 10.12737/jflcl.2021.059. – EDN YWLDJH.

laundering. Thus, in 2005, the document on China's accession to the UN Convention against Corruption was ratified. In 2006, the Anti-Money Laundering Law of the People's Republic of China was adopted, which created a legislative framework for the prevention and suppression of money laundering and related crimes.

On January 1, 2006, the Law of the People's Republic of China "On Civil Servants" came into force. Special units were created in the prosecutor's office to combat corruption, prevent and prevent official offenses.²³²

The fourth stage in the development of anti-corruption legislation, which began in 2010 and is currently ongoing, is considered the most effective. Since Xi Jinping came to power in 2013, the laws have become even tougher and stricter against offenders. Speaking about the main areas of his work, Xi Jinping constantly emphasizes that the suppression and eradication of corruption is one of his main goals. Xi Jinping's anti-corruption efforts involve both the lower and upper echelons of power. This ushered in a new era of Chinese anti-corruption laws.

In 2024, the Criminal Code of the People's Republic of China was amended to toughen the punishment for repeatedly giving bribes to more than one person, for bribes within the framework of large national projects, for bribes to obtain a position, for illegal profit-making in the interests of relatives and friends, for converting a company's assets into shares at a low price or selling them at reduced prices, etc. Amendments have been made to Articles 165 (illegal engagement in related economic activities), 166 (obtaining illegal benefits for relatives or friends), 169 (corporatization or sale of state property at low prices), 387 (bribery by an organization), 390 (sanction for giving a bribe), 391 (bribery by an organization), 393 (bribery by an organization) of the Criminal Code of the People's Republic of China.

One of the tools to promote anti-corruption initiatives is to ensure a uniform, high standard of legislation, whether specifically related to corruption or the incorporation of anti-corruption measures into other sectoral laws.

These examples demonstrate how various legal and institutional measures can be used in the fight against corruption. The combination of criminal prosecution, anti-corruption laws and administrative procedures contributes to the creation of a comprehensive system for the detection and prevention of corruption offenses. The experience of the BRICS countries shows that an effective fight against corruption requires a comprehensive approach that integrates legal, institutional and social measures.

The European Union proposes new laws and works to prevent corruption within the framework set out in the Treaty on the Functioning of the European Union (TFEU).

232 Khabrieva, V. Cao, Sh. Zhao [and others]. – Moscow: Limited Liability Company "Publishing House "Jurisprudence", 2020. – 396 p. – ISBN 978-5-9516-0873-4. – EDN QCEJFS.

The EU must ensure a high level of security, including through the prevention and control of crime, as well as the approximation of criminal legislation (Article 67 TFEU). Article 83 of the TFEU defines corruption as a “European crime” – a particularly serious crime with cross-border consequences, through which the EU may, in certain circumstances, set minimum standards in this area. The legal framework for combating fraud and other illegal activities affecting the financial interests of the EU is Article 325 of the TFEU, which imposes an obligation on the EU itself and its member states to protect the EU budget. Anti-Corruption Laws and Policies. Modernisation of the EU Anti-Corruption System

In her address on the state of the EU in 2022, European Commission President von der Leyen announced plans to update the EU’s anti-corruption legislative framework in order to better prevent and combat corruption in the European Union in the future.

On May 3, 2023, the Commission presented a new proposal aimed at combating corruption through criminal law. While bribery remains the focus of the new legislation, it also addresses other forms of corruption that threaten citizens and undermine society. Among other things, the proposed new legislative framework aims to:

- i. strengthening measures to prevent corruption by raising public awareness of the negative consequences of corruption and addressing corruption risks before they arise or become entrenched, in order to build a culture of integrity and the administration of justice, as well as illicit enrichment related to corruption offenses;
- ii. the introduction of minimum fines and sanctions for various offenses in order to ensure a level playing field for all member states;
- iii. extension of the statute of limitations for the consideration of corruption cases in court;
- iv. Ensuring that law enforcement agencies and prosecutors have the necessary investigative tools and resources to combat corruption.

With this proposal, the European Union is modernizing the pre-Lisbon era disparate anti-corruption system at the EU level and fulfilling its international obligations under the United Nations Convention against Corruption.

The new anti-corruption measures include:

- i. Anti-Corruption Communication
- ii. Strengthening legislation to prevent and investigate corruption
- iii. Increased cooperation between law enforcement agencies
- iv. Increasing transparency and accountability in public procurement
- v. Improving access to justice for victims of corruption - a proposal for the adoption of a Directive on the fight against corruption through criminal law and a new EU sanctions regime for corruption

Until the proposed directive is formally adopted by fellow legislators, the current anti-corruption legislation will remain in force. This includes:

- i. 1997 Convention against Corruption involving EU and Member State Officials
- ii. The Council Framework Decision of 2003 on combating corruption in the private sector, which criminalizes both active and passive bribery
- iii. Council Decision 2008/852/JHA of 2008 establishing the Network of Anti-Corruption Contact Points.

These instruments will be replaced by a new directive for those Member States that are bound by it.

Legislation to protect the EU's financial interests

Legislation aimed at protecting the financial interests of the EU, including the fight against fraud and other illegal activities affecting the Union's finances, is a key component of the EU's anti-corruption strategy. activities affecting the financial interests of the EU.

Based on the new Regulation on a common framework of conditions for the protection of the EU budget (Regulation (EU, Euratom) 2020/2092), the Commission may propose to the Council the introduction of budgetary measures in relation to Member States where violations of the rule of law, including corruption, may affect or pose a serious risk to a sound financial position. management of the EU budget. Along with this, it is worth noting the creation of the European Public Prosecutor's Office, which is empowered to conduct criminal investigations and prosecute cases of transnational corruption (Council Regulation (EU) 2017/1939 of 12 October 2017 on enhancing cooperation in the establishment of the European Public Prosecutor's Office).

The European Anti-Fraud Office (OLAF), in accordance with Regulation (EU and Euratom) No 883/2013, conducts administrative investigations in order to combat fraud, corruption and other illegal activities affecting the financial interests of the EU. (See also Commission Decision 1999/352/EC establishing a European Anti-Fraud Office).

Sectoral legislation plays an important role in promoting effective anti-corruption. It includes rules on the prevention of money laundering and terrorist financing, public procurement, asset recovery and confiscation, as well as public awareness policies. The Fifth Anti-Money Laundering Directive (5th AMLD) requires all EU member states to establish centralised bank account databases and data retrieval systems, as well as centralised registers of beneficial owners. This directive also establishes a link between registers of beneficial owners in order to increase the transparency of corporate ownership. A revised version of these rules (Sixth Directive) was proposed by the European Commission in July 2021.

The Directive on Combating Money Laundering through Criminal Law (European Union) 2018/1673 sets minimum standards for the criminalization of money laundering and stipulates that corruption should be treated as a predicate offence related to money laundering. The European Union (EU) has a number of regulations governing the return and confiscation of assets derived from criminal activities, including cases of corruption. These regulations include Directive 2014/42/EU, which deals with the freezing and confiscation of funds and proceeds of crime. In addition, there are Council Decisions 2007/845/JHA and 2005/212/JHA, as well as Regulation (EU) 2018/1805, which deal with various aspects of asset recovery and confiscation of the proceeds of crime.

In May 2022, the Commission proposed an updated version of the above-mentioned rules.

The Whistleblowing Directive (EU) 2019/1937, adopted in 2019, aims to protect whistleblowers of EU law and to improve the detection of corrupt practices. This directive also aims to provide better protection for whistleblowers.

The EU rules on public procurement are designed to prevent corruption in the tendering process. In order to combat tax evasion, which is an offence of corruption, Directive (EU) 2010/24 provides for cooperation in the recovery of tax claims, including those related to duties and other related measures. Directive (EC) 16/11 on administrative cooperation in the field of direct taxation additionally provides for cooperation in the fight against tax evasion, as well as measures to increase the transparency of corporate taxation.

Germany traditionally occupies high places in various anti-corruption ratings of states. However, over the past few years, the analytical assessment of the German government's successes has been declining.

The downgrade is attributed to several corruption scandals that occurred in 2021, including allegations related to the purchase of medical equipment during the COVID-19 pandemic and the so-called "former case" concerning possible tax evasion. Due to extensive investigations into these issues, the number of reported cases of corruption in Germany has increased in recent years, as reflected in the Federal Report on the Situation of Corruption for 2021.

German law provides for a strict anti-corruption regime. Giving, offering or promising a bribe, as well as receiving, demanding or accepting an offer of a bribe are criminal offences. Making payments in exchange for services is also prohibited. Gifts or hospitality of minor value for public servants may be considered a crime depending on the specific circumstances and the cost of the service.

In recent years, enforcement of anti-bribery rules abroad has increased significantly, and several well-known German companies and their representatives have been successfully prosecuted. Under the German Administrative Offences Act (Ordnungswidrigkeitengesetz – OWiG), companies can be held liable

for corruption offences committed by their representatives. Fines of up to €10 million may be imposed, along with the confiscation of any economic benefits derived from bribery. These provisions are set out in the German Criminal Code (Strafgesetzbuch – StGB).

Most of the key provisions on bribery are found in the StGB. These include:

1. Bribery in commercial activity (Article 299)
2. Bribery in the public health sector (Articles 299a et seq.)
3. Bribery of public officials (articles 331 et seq.)
4. Bribery of delegates (Section 108e)

In addition, there are provisions prohibiting specific forms of bribery, such as section 108b (vote-buying) and section 119 of the United Nations Constitution Act (Betriebsverfassungsgesetz), which prohibit interference in elections to United Nations councils. German anti-corruption law imposes liability for bribery on both parties. In addition to bribery, other crimes often associated with corruption, such as misappropriation and tax evasion, are also prosecuted.

The German Criminal Code (StGB) applies to criminal offences committed at least partially on German territory. However, crimes committed exclusively abroad may also fall under its jurisdiction under certain circumstances. As a rule, this requires the participation of German nationals.

One feature of anti-corruption legislation in Germany is the use of highly specialized acts. Thus, it is possible to note the specific legal regulation of the activities of German health insurance funds to meet anti-corruption requirements for their employees, which are established by the funds themselves and by regional and federal associations of health insurance funds.

In accordance with the amendments to Article 197a of the German Social Security Code made by the German Health Corruption Act of 30 May 2016, regional and federal associations of health insurance funds are required to establish organizational units to investigate cases and issues that indicate corruption. These bodies can collect all necessary personal data on the employees of these foundations and, in the event of suspected corruption violations, transfer such data to the prosecutor's office for further criminal prosecution.

The health insurance funds and associations of funds of the Federal Republic of Germany cooperate with each other as well as with regional and federal associations of statutory health insurance physicians and federal associations of statutory health insurance physicians to carry out anti-corruption tasks, including the exchange of personal data during the verification of facts indicating corruption violations. The Federal Association of Health Insurance Funds organizes a regular exchange of experience with regional associations and other health insurance funds, in cooperation with the Public Prosecutor's Office and supervisory authorities.

In 2016, the French Parliament passed Law No 2016-1691 on transparency, anti-corruption, and modernization of economic life, commonly known as Sapin II in honor of Michael Sapin, the former French Minister of Finance, who was instrumental in its adoption. The law came into force on June 1, 2017.

The main objective of Sapin II is to align France's policies with those of its European counterparts and international standards. In this way, the French government hopes to address criticism of its approach to combating corruption and improve France's image abroad.

Sapin II applies to both private and public companies with at least 500 employees and at least €100 million in revenue, registered or headquartered in France. For groups of companies with consolidated sales exceeding €100 million, the law applies to all legal entities, without exception, including subsidiaries, regardless of location, whether in France or abroad.

Sapin II established the French Anti-Corruption Agency (AFA) to enforce the law. If a company is found to be non-compliant, the AFA may issue warnings or impose sanctions, including fines of up to €200,000 per director and up to €1 million for the company. The AFA reserves the right to make these decisions public.

The law requires companies to develop a code of conduct detailing prohibited conduct related to bribery and corruption. Companies should also provide training for managers and employees exposed to bribery risks and establish an internal reporting mechanism to enable employees to report bribery. As a preventive measure, companies should develop a risk map to identify, assess and prioritize the risks associated with bribery and corruption. They should then assess their customers and third parties based on the risk mapping results.

Regarding the extraterritorial effect of French anti-corruption legislation, it is necessary to mention other similar acts: the US Foreign Corrupt Practices Act (FCPA), the UK Bribery Act (UKBA), and the Canadian Foreign Public Officials Corruption Act (CFPOA). These laws require corporations to maintain accurate financial records and implement effective compliance programs. Failure to comply with these laws can result in significant fines, reputational damage, imprisonment, and suspension of organizations from doing business with national and local governments.

These acts give anti-corruption regulation an extraterritorial character, while invading not only foreign jurisdictions, but also international public relations, replacing international law with national law²³³.

It should be noted that at the same time, these states do not have basic anti-corruption laws that would act as a basic. In the United States, for example,

²³³ Truntsevsky Yuriy Vladimirovich, Tsirin Artem Mikhailovich STATE POLICY TO COUNTERACT CORRUPTION: NATIONAL INITIATIVES // *Journal of Foreign Legislation and Comparative Law*. 2022. №6. Available at: <https://cyberleninka.ru/article/n/gosudarstvennaya-politika-po-protivodeystviyu-korruptsii-natsionalnye-initsiativy> (accessed: 27.05.2024).

numerous federal laws prohibit bribery of federal officials in certain contexts, but the most important law that most directly criminalizes corruption at the federal level is 18 U.S.C. Section 201. Section 201 has two main subsections: Section 201(b) criminalizes paying, offering, or receiving bribes, and Section 201(c) prohibits giving, offering, or receiving unlawful “tips.” Violations of § 201(b) are punished more severely than violations of the anti-tipping provision. Other federal and state laws prohibit bribery of state and local officials.

Regarding private corruption, both the U.S. Department of Justice (DOJ) and the Securities and Exchange Commission (SEC) have the authority to prosecute domestic bribery cases. The Department of Justice uses state laws in conjunction with federal laws, such as the Travel Act (18 U.S.C. § 1952), mail and wire fraud laws (18 U.S.C. §§ 1341, 1343, and 1346), to prosecute commercial bribery crimes. On the other hand, the SEC may civilly prosecute domestic bribes that violate its books and records or internal control regulations (the “accounting regulations” – sections 13(b)(2)(A) and 13(b)(2)(B) of the Exchange Act). In addition, in cases of willful violation of accounting regulations, the SEC may refer the case to the Department of Justice for criminal prosecution.

The fragmentation and lack of model federal monitoring in the United States lead to the lack of a uniform approach to combating corruption at the state level. To address gaps in federal anti-corruption regulation, public initiatives have been developed. One such initiative is the American Anti-Corruption Act (AACA).

AACA is a model piece of legislation designed to limit the influence of money on American politics. It aims to achieve this by overhauling lobbying laws, increasing transparency, and reforming campaign finance systems. The law was drafted in 2011 by Trevor Potter, the former chairman of the Federal Election Commission, in consultation with numerous experts and leaders from across the political spectrum. It has been supported by organizations such as Represent. US, which is advocating for its adoption at the local, state, and federal levels.

AACA seeks to address three main issues of concern:

1. Political bribery: The law aims to stop political bribery by reforming lobbying norms and ethics. It is designed to deter unethical behavior by politicians and to increase transparency in their business relationships.
2. Secret money: The law aims to stop the use of secret money in politics by increasing transparency. This means donors will be required to disclose their contributions, making it harder to misuse funds.
3. Flawed Elections: Finally, the law aims to fix our flawed electoral system by ending gerrymandering, modernizing voting laws, and improving election finance systems. These measures are designed to ensure the elections are fair and free from undue influence.

AACA's stated purpose is to serve as a model for city, state, and federal legislation that prevents money from corrupting the U.S. government. Organizations such as Represent. US advocate for laws that reflect the provisions of the Act, often through electoral initiatives. Because the provisions of the Act are likely to be considered constitutional, this approach differs from the approach taken by other groups, such as the Amendment Movement, which advocates for constitutional amendments to overturn Supreme Court decisions, such as Citizens United v. FEC and Buckley v. Valeo.

In 2014, Tallahassee voters approved an amendment to the city's charter that was modeled after the AACA. The referendum, which was supported by a diverse group of local activists, including the chair of the Florida Tea Party network, the former president of the Florida League of Women Voters, and the chair of Common Cause of Florida, passed with 67% of the vote.

The amendment established the city's ethics council and established public discounts for political donations of up to \$25. She also instructed the council to develop a code of ethics within six months of its adoption and reduced the maximum allowable contribution for city government candidates from \$500 to \$250.

This initiative was a significant step toward increasing transparency and accountability in Tallahassee's policies and demonstrated the power of collaboration among diverse groups to drive positive change.

Overall, the U.S. Anti-Corruption Act aims to create a more transparent and fair political system in the United States. It aims to limit the influence of money on politics and promote a more ethical and democratic system.

Based on the analysis, several conclusions can be drawn:

I. The construction of the systems of legislation of foreign legislations is formed on the basis of two main approaches:

- 1) the creation of a special basic law on combating corruption (Belarus, Kazakhstan, Kyrgyzstan, India, South Africa, France);
- 2) adoption of highly specialized laws and amendments to criminal laws aimed at combating corruption offenses (USA, Britain, Canada, Germany, China).

II. An important role in the formation of national legislation in the field of combating corruption is played by global (universal) international legal norms and regional integration norms, which create a system of uniform, but flexible, measures to combat corruption;

III. The anti-corruption legislative policy of certain unfriendly states (the United States, Britain, Canada, France) gives anti-corruption regulation an extra-territorial character, while invading not only foreign jurisdictions, but also international public relations, replacing international law with national law;

IV. The development of anti-corruption national legislation around the world is in active development and is moving towards the creation of unique anti-corruption systems aimed at the internal corruption problems individual for each state, which at the same time must meet international legal and integration standards in the field of combating corruption.

ISBN: 978-65-02-05979-1

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CHAPTER

3

PROSPECTS FOR THE DEVELOPMENT OF THE
ANTI-CORRUPTION LEGISLATION OF THE
RUSSIAN FEDERATION

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PROSPECTS FOR THE DEVELOPMENT OF THE ANTI-CORRUPTION LEGISLATION OF THE RUSSIAN FEDERATION

1 SYSTEMATIZATION OF THE LEGISLATION OF THE RUSSIAN FEDERATION ON COMBATING CORRUPTION: PROBLEMS AND WAYS TO SOLVE THEM

Systematization of legislation is the process of organizing normative legal acts to create a coordinated, interrelated system across branches of legislation. The purpose of this activity is to comprehensively review the regulatory framework and inform a wide range of interested parties about existing regulatory legal acts and their systemic connections, enabling quick searches and convenient access to legal information.

According to modern legal scholars, anti-corruption legislation not only occupies its place within this system but also exhibits a distinct specificity that is of interest to scientific research. The Institute of Legislation and Comparative Law, under the Government of the Russian Federation, has long been developing the concept of cyclical legal arrays²³⁴. The Institute's researchers refer to the Russian Federation's anti-corruption legislation as an atypical cyclical regulatory legal framework. In addition, the Institute's work notes that this specificity complicates systematization, imposing restrictions on the possible forms²³⁵. At the same time, legal theorists propose treating consolidation as the optimal form of systematizing anti-corruption legislation²³⁶.

Legislation in the field of combating corruption, as a system, has, in accordance with the general laws governing systems, a systemic core: the Federal Law "On Combating Corruption". Such a construction allows us to draw an analogy with the category of "active center of the branch of legislation", the system of interrelated regulatory legal acts of which generally corresponds to the patterns identified for the branch of legislation²³⁷.

Anti-corruption legislation is not included in the lists established by the Constitution of the Russian Federation (Articles 71, 72). At the same time, the latter are not exhaustive; they designate subject areas rather than branches

234 For more details, see: Khabrieva T. Y. Cyclic Normative Arrays in Law // *Journal of Russian Law*. 2019. № 12. Pp. 5–18.

235 *The Concept of Consolidation of the Legislation of the Russian Federation on Combating Corruption: Scientific and Practical Manual* / A. I. Abramova, M. V. Zaloilo, A. A. Dorskaya [i dr.]; Ed. by Dr. Yurid. Sci., Prof. D. A. Pashentseva. — Moscow: Prospekt, 2021. P.8.

236 *Ibidem*.

237 For more details, see: Shebanov A.F. System of Legislation as a Scientific Basis of Codification // *Soviet State and Law*. 1971. № 12. P. 34.

of legislation. If we take these criteria into account, there is currently no single branch of anti-corruption legislation in Russia. At the same time, we can discuss the formation of an integrated set of normative acts, united by a single goal and characterized by a common subject of legal regulation.

Although the place of anti-corruption legislation in the Russian legal system is not yet clearly defined, scientific discussions on developing an ideal model for its positioning within the current system are underway.

In comparison with the system of law, the system of legislation has a much greater subjective component, since it is a product of law-making activity and, therefore, allows legislative approval of lists of branches, which cannot be done in relation to the system of law. The subjective component of anti-corruption legislation is also evident in the fact that its system-forming core and systemic links were shaped by legislative policy, driven by the adoption of specific legislative acts in response to contemporary needs.

The use of constitutional and legal instruments underscores the importance of anti-corruption legislation for the state and society. This potential is clearly seen in the new constitutional provisions on the need to create conditions for strengthening mutual trust between the state and society (Article 75.1),²³⁸ as well as in the norms establishing requirements for persons holding public office and a number of other positions related to the implementation of public Management. Thus, the 2020 amendments to the Constitution of the Russian Federation established requirements for persons holding public office²³⁹. In particular, persons holding public office of the Russian Federation and a number of other positions related to the implementation of public administration functions are prohibited from:

- a. have citizenship of a foreign state or a status granting the right to permanent residence in the territory of a foreign state²⁴⁰;
- b. open and maintain accounts, keep cash and valuables in foreign banks located outside Russia²⁴¹.

The Law of the Russian Federation on the Amendment to the Constitution of the Russian Federation of March 14, 2020, No 1-FKZ “On Improving the

238 See: Thematic Commentary to the Law of the Russian Federation on the Amendment to the Constitution of the Russian Federation of March 14, 2020 No 1-FKZ “On Improving the Regulation of Certain Issues of the Organization and Functioning of Public Power” / T.Y. Khabrieva, A.A. Kliskas. — Moscow. Norm: INFRA-M. 2020

239 For more details, see: Articles 77, 78, 81, 95, 97, 103, 110, 119, 129 of the Constitution of the Russian Federation.

240 The existence of a legal relationship with a foreign state, including in the form of citizenship or a residence permit or other document confirming the right to permanent residence of a citizen of the Russian Federation in the territory of a foreign state, allows for the possibility of a person having obligations to two states at the same time. This circumstance creates risks of a conflict of interest contrary to Russia's sovereignty. That is why the requirement that these persons do not have citizenship (nationality) of a foreign state is an important guarantee of the proper performance of their public functions.

241 The arguments regarding the admissibility of establishing the requirement that a citizen of the Russian Federation has no political and legal ties with another state are equally valid in relation to the prohibition to open and have accounts (deposits), keep cash and valuables in foreign banks located outside the territory of the Russian Federation.

Regulation of Certain Issues of the Organization and Functioning of Public Authority” gave an additional impetus to the systematization of anti-corruption legislation, determining the main direction of its development for the coming years.

Alongside the constitutional guidelines enshrined, including the new Article 75.1 of the Constitution of the Russian Federation, new legal models for the systematization of anti-corruption restrictions, prohibitions, and obligations have emerged. As such an example, Article 6 of the Federal Constitutional Law of November 6, 2020 No 4-FKZ “On the Government of the Russian Federation”²⁴² can be cited, which for the first time systematized the restrictions and prohibitions related to filling the position of a member of the Government of the Russian Federation, as well as the requirements for a member of the Government of the Russian Federation. At present, this legal decision is increasingly reflected in federal legislation regulating the legal status of certain categories of persons.

New challenges, including the Covid-19 pandemic and the reasons for the special military operation (SMO), are also actively influencing the development of current anti-corruption legislation, increasing its flexibility and prompting certain exceptions to the generally binding restrictions, prohibitions, and obligations established in the field of combating corruption. For example, we can cite the evolution of legal regulation governing the obligation to disclose information on income, expenses, property, and related obligations.

During the COVID-19 pandemic, many employees of the declaration campaign were unable to provide information on the income, expenses, property, and property liabilities of their spouses or minor children. Many state and credit institutions that provide data on the property status of employees did not work or operated in a limited mode for employees; the legislation of the Russian Federation did not provide for the right to send an application for the impossibility to provide information on their income, expenses, property, and property-related obligations²⁴³.

In response to the problem of the Covid-19 pandemic, the Federal Law of 10.07.2023 No 286-FZ “On Amendments to Certain Legislative Acts of the Russian Federation” was adopted, which established the possibility of exempting an employee from liability in cases where non-compliance with anti-corruption restrictions, prohibitions and requirements, as well as failure to perform duties is recognized as a consequence of circumstances beyond his control. Such circumstances²⁴⁴, for example, extraordinary and unavoidable circumstances beyond the control of the indi-

²⁴² Collection of Legislation of the Russian Federation. 2020. № 45. Art. 7061.

²⁴³ For more details, see: paragraphs 11, 12 of the Review of Law Enforcement Practice in terms of the impossibility to provide information on the income, expenses, property and property obligations of one's spouse and minor children for objective and valid reasons // <https://mintrud.gov.ru/ministry/programms/anticorruption/9/24>

²⁴⁴ Such circumstances, in particular, include natural disasters (including earthquakes, floods, hurricanes), fire, mass diseases (epidemics), strikes, military actions, terrorist acts, prohibitive or restrictive measures taken by state bodies (including state bodies of foreign states) and local self-government bodies.

vidual affected by them, which under the given conditions could not have been expected or avoided or which could not have been overcome, which exclude the possibility of complying with restrictions and prohibitions, requirements for the prevention or settlement of conflicts of interest and the performance of obligations established by Federal Law No 273-FZ and other federal laws for the purpose of combating corruption.

Systematization of legislation as a whole or of its separate branches in the most general approximation is an activity aimed at streamlining the array of existing normative legal acts in order to ensure their unambiguous interpretation and effective application.

Given the Russian federal structure, the systematization of legislation on combating corruption should be discussed first at the federal and regional levels. In addition, the systematization of legislation can be carried out in four forms: classification, incorporation, consolidation, and codification.

Classification is a kind of technical form of systematization and consists in fixing regulatory legal material under certain headings to facilitate its accounting and search.

Within the framework of *incorporation*, normative legal acts, without changing their content, are combined in whole or in part into codes of laws, collections of legislation, or collections of laws and other legal acts in a certain systematic order (chronological, subject, alphabetical), where each of them retains an independent legal significance.

In the process of *consolidation*, several regulatory legal acts on the same issue are combined into a single, enlarged act, which is approved by the law-making body as a new, independent source of law, and the previous separate acts are recognized as invalid²⁴⁵.

Codification is the most complex form of systematization, which consists in streamlining legislation by processing normative material and adopting a new single, logically and legally integral, internally consistent normative legal act (code, fundamentals of legislation, etc.), which sets the system foundations of legal regulation of a certain sphere of social relations.

Codification, as a rule, follows the formation of key social processes and affects the most essential aspects of state and public life. For example, after the collapse of the USSR, all codified acts of the Soviet period were updated.

In view of the revealed atypicality of the anti-corruption legal framework, the heterogeneity of social relations that are the subject of its regulation, and the widespread adoption of anti-corruption requirements, prohibitions, and re-

245 See: *Systematization of Legislation in the Russian Federation* / edited by A.S. Pigolkin. St. Petersburg, 2003. P. 41.

strictions across numerous multi-sectoral acts, such a form of systematization of anti-corruption legislation as consolidation is the most effective²⁴⁶.

On the basis of the research carried out by the Institute, in particular by Academician T.Y. Khabrieva, the idea of *systematization of federal legislation in the field of combating corruption in the form of consolidation* through the adoption of a new regulatory legal act - the foundations of anti-corruption legislation, which can replace the current basic law on combating corruption, originally conceived as a framework law establishing general principles of legal regulation in this area. Such a framework did not allow it to become fully incorporated as law, hindering the further development of anti-corruption legislation.

The researchers suggest that the Fundamentals of Anti-Corruption Legislation should contain universal cross-sectoral norms, which will refer, in turn, to the enlarged legislative blocs united by the subject of regulation (anti-corruption expertise; prevention, settlement of conflicts of interest; provision of information on income, expenses, and property obligations, etc)²⁴⁷ At the same time, the association, first of all, was to be subject to normative prescriptions equal in their legal force.

For the full implementation of the concept proposed in these studies, it was planned to adopt federal laws on the prevention and settlement of conflicts of interest, on the protection of persons reporting corruption, on control over the compliance of expenditures with income, on public control in the field of combating corruption, and on the prevention of corruption in organizations²⁴⁸.

Agreeing with the proposed modular or block approach to the systematization of anti-corruption legislation, within the framework of the implementation of this concept, it is also advisable to revise the existing model of departmental law-making in this area, when each federal executive body adopts its own numerous anti-corruption regulatory legal acts, as a rule, duplicating the regulatory legal acts of the President of the Russian Federation and Government of the Russian Federation, for example, in the field of anti-corruption expertise of regulatory legal acts and draft regulatory legal acts.

In this regard, it is also necessary to specify and detail the by-laws of the President of the Russian Federation and the Government of the Russian Federation, which will allow for taking into account departmental specifics to a greater

246 Cm. on the need for systematization of Russian anti-corruption legislation in the form of consolidation (by combining several existing laws and certain legal norms of anti-corruption orientation): Tolkachev K.B. Anti-corruption law and theoretical and legal issues of systematization of anti-corruption legislation of the Russian Federation // Legal science and practice: bulletin of the Nizhny Novgorod Academy of the Ministry of Internal Affairs of Russia. 2017. № 3. P. 15.

247 Cm. Report at the Eighth Eurasian Anti-Corruption Forum "Anti-Corruption Legislation: Phenomenon, Evolution and Modern Trends".

248 See: Khabrieva T.Y. Presentation of the report at the Eighth Eurasian Anti-Corruption Forum "Anti-Corruption Legislation: Phenomenon, Evolution and Modern Trends". URL: [http://www.izak.ru/upload/iblock/1cc/Presentation%208%20Eurasian%20Forum%20\(8\).pptx](http://www.izak.ru/upload/iblock/1cc/Presentation%208%20Eurasian%20Forum%20(8).pptx)

extent, as well as to reduce departmental lawmaking in the field of combating corruption. This result can be achieved through the development of appropriate procedures and the provision of direct action, as well as methodological support.

It is advisable to combine the systematization of anti-corruption legislation with the synchronization of anti-corruption and anti-money laundering mechanisms, which share similar subject matter and regulatory goals²⁴⁹.

Synchronization of legal regulation is understood as the improvement that leads to the convergence of related branches and vectors of legislative development. Rapprochement can be achieved in different ways, in particular, by:

- a) timely updating of legal regulation when adopting another act, bringing legislation in line with a newly adopted law;
- b) elimination of terminological uncertainty, when the same concepts and terms are used in different regulatory legal acts in different meanings;
- c) taking into account all other legislative initiatives in the relevant field of public relations when drafting draft laws;
- d) ensuring the unity of the principles of legal regulation in similar industries;
- e) Organize;
- f) preservation of the legal continuity of legal acts, institutions, etc.

Synchronization of legal regulation is ensured, among other measures, by the proper implementation of principles such as planning, consistency, and normative economy in lawmaking.

Regarding regional anti-corruption legislation, there are proposals for its systematization in the form of codification, that is, the development and adoption of a single anti-corruption code, which, however, have not found wide support among the scientific community and legislators.

It is expedient to consolidate the laws of the constituent entities of the Russian Federation in the field of combating corruption through the adoption of a federal law on the fundamentals and principles of the legislation of the constituent entities of the Russian Federation on combating corruption, which will contribute to the harmonization of regional legislation in this area.

In view of the above, the following can be named as urgent tasks for the systematization of anti-corruption legislation:

- a) improvement of its systemic foundations taking into account international legal standards in this area;
- b) ensuring the balance and consistency of regulatory legal acts on anti-corruption issues;

249 See: Zaloilo M.V. Cyclic Legal Array as an Atypical Legal Phenomenon in the Context of Digitalization // Russian State Studies. 2019. № 1. Pp. 16–24.

- c) consolidation of the said acts and recognition as invalid of normative legal acts or their individual provisions that have lost their relevance.

As possible directions for systematization of legislation in the field of combating corruption, it is proposed to consider:

- a) monitoring of legislative acts containing provisions on combating corruption in order to assess their compliance with the provisions of international treaties and agreements and to ensure, based on the results of this monitoring, the introduction of appropriate systemic changes to the above acts;
- b) clarification of the concepts of “corruption”, “conflict of interest” and “personal interest” with the most generalized intersectoral meaning;
- c) detailing at the level of the Fundamentals of Anti-Corruption Legislation the procedure for reporting a conflict of interest of intersectoral importance and a list of possible measures to resolve it, as well as mechanisms for identifying a conflict of interest situation in the absence of such notification;
- d) specification in the Fundamentals of Anti-Corruption Legislation as a basic legislative act in the field of combating corruption of permissible procedures for ensuring compliance with restrictions and prohibitions established in various legislative acts in order to prevent corruption offenses of the relevant officials;
- e) monitoring of Russian legislation in order to identify duplicate and conflict-of-laws rules on anti-corruption issues with the formation of appropriate proposals for improving legislation based on the results of this monitoring;
- f) strengthening the role of prevention of corruption offenses in all sectoral legislative acts that contain provisions on combating corruption;
- g) monitoring of the existing measures of responsibility for the commission of corruption offenses in the legislation in order to identify conflicts and ambiguous interpretations, clarify and ensure the balance of the elements of the relevant offenses with the introduction of proposals for improving the legislation;
- h) monitoring of the array of by-laws on anti-corruption in order to identify and eliminate duplicate and conflict-of-laws norms, eliminate provisions that have lost their relevance and, ultimately, generalize and enlarge the relevant by-laws.

In the constitutional and legal literature, the following directions of comprehensive anti-corruption reform are proposed²⁵⁰:

250 See: S.N. Sheverdyayev, “Constitutional and Legal Counteraction to Corruption: Determining the Place and Significance in the System of Anti-Corruption Policy,” Pp. 143–145.

- a) changing the traditions of electoral practice;
- b) ensuring real guarantees of the independence of the judiciary and the gradual rotation of representatives of the judiciary;
- c) improving the organization of the work of investigative bodies and the prosecutor's office;
- d) promoting diversity and involving civil society institutions in social and political activities;
- e) reforming the media system;
- f) continuation of administrative reform;
- g) ensuring transparency of the budget process;
- h) development of anti-corruption education programs and broad public education.

The proposed (explicit) approach to the systematization of anti-corruption legislation in Russia can be recognized as the consolidation of the main anti-corruption constitutional and legal institutions:

- 1) consolidation of the anti-corruption function of the state at the constitutional level, reflecting the relevant subject of competence;
- 2) introduction of a constitutional standard of anti-corruption behavior of state and municipal employees;
- 3) granting the anti-corruption body(s) constitutional status;
- 4) the constitutional proclamation of the obligation of a citizen of the Russian Federation to counteract corruption.

It can be stated that a feature of the Russian constitutional reform is the "ascent" of the norms of current legislation (including anti-corruption) to the constitutional level²⁵¹. This phenomenon has led to the structural completeness of the system of anti-corruption legislation, which can be presented as follows:

Constitution of the Russian Federation (Articles 2, 3, 18, 75.1, 77, 78, 81, 95, 97, 103, 110, 119, 129)²⁵²;
 federal constitutional laws²⁵³;
 the basic Federal Law "On Combating Corruption"²⁵⁴;
 special federal laws²⁵⁵;

251 See: S.N. Sheverdyayev, "Constitutional and Legal Counteraction to Corruption: Determining the Place and Significance in the System of Anti-Corruption Policy," Pp. 143–145.

252 The Constitution of the Russian Federation: [adopted by popular vote on December 12, 1993 with amendments approved during the all-Russian vote on July 01, 2020] // Official Internet portal of legal information. Available at: <http://www.pravo.gov.ru> (accessed: 20.08.2022)

253 Federal Constitutional Law of 06.11.2020 No 4-FKZ "On the Government of the Russian Federation" // Collected Legislation of the Russian Federation. 2020. № 45. Art. 7061

254 Federal Law of 25.12.2008 No. 273-FZ "On Combating Corruption" // Collected Legislation of the Russian Federation. 2008. No 52 (Part 1), Art. 6228

255 Federal Law No. 172-FZ of July 17, 2009 "On Anti-Corruption Expertise of Regulatory Legal Acts and Draft Regulatory Legal Acts" Federal Law No. 230-FZ of December 3, 2012 "On Control over the Compliance of Expenses of Persons Holding Public Positions and Other Persons with Their Incomes"; Federal Law No. 79-FZ of May 7, 2013 "On the Prohibition for Certain Categories of Persons to Open and Have Accounts (Deposits), Keep Cash and Valuables in Foreign Banks Located Outside the Territory of the Russian Fed-

anti-corruption provisions of sectoral codes²⁵⁶.

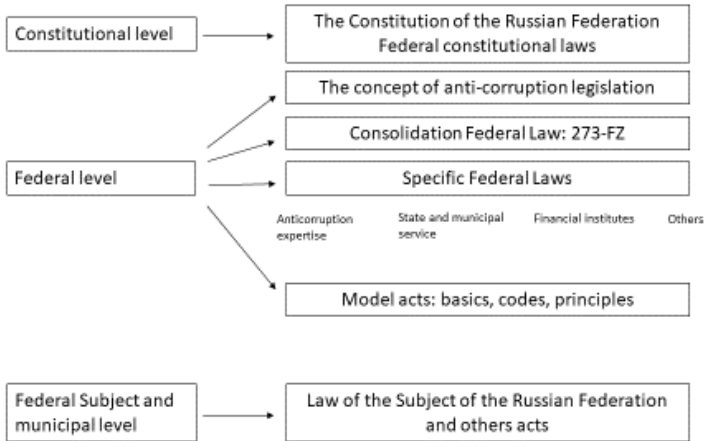
The system of anti-corruption legislation can be presented as follows:

- a) *the constitutional level* – the Constitution of the Russian Federation, federal constitutional laws implicitly containing the constitutional foundations of anti-corruption institutions (separation of powers, the rule of law, democracy, respect for human rights and freedoms);
- b) *federal level* – the concept of development of anti-corruption legislation; consolidated federal law (FZ-273); sectoral federal laws: anti-corruption expertise, state and municipal service, financial and legal institutions (means) of combating corruption, protection of whistleblowers, other laws; model acts: fundamentals, codes, policies;
- c) *the level of the constituent entities of the Russian Federation and local self-government bodies* – the laws of the constituent entities of the Russian Federation on combating corruption; other acts. It should not be forgotten about another actively emerging *local* level of anti-corruption legal regulation, which is being strengthened by local regulations of organizations, including state corporations, state-owned companies and other organizations created to fulfill the tasks assigned to the bodies. authorities. It seems that the legal samples contained in them should also be taken into account when analyzing trends in the improvement and implementation of anti-corruption legislation. An analysis of this level of regulation allows us to conclude that the growth of the main body of local regulations is carried out within the framework of the implementation of Article 13.3 of Federal Law No. 273-FZ of December 25, 2008, “On Combating Corruption”, which establishes the obligation of organizations to develop and take measures to prevent corruption. More and more local regulations adopted by organizations on anti-corruption issues are becoming regulatory in nature and are being implemented with the support of corporate anti-corruption information systems.

eration, Own and (or) Use Foreign Financial Instruments”; Federal Law of July 17, 2009 No 172-FZ “On Anti-Corruption Expertise of Regulatory Legal Acts and Draft Regulatory Legal Acts”.

256 Criminal Code of the Russian Federation // “Collection of Legislation of the Russian Federation”, 1996, No 25, art. 2954; Code of the Russian Federation on Administrative Offenses // “Rossiyskaya Gazeta”, No 256, 31.12.2001; Labor Code of the Russian Federation // “Rossiyskaya Gazeta”, No 256, 31.12.2001; Civil Code of the Russian Federation (Part One) // “Collected Legislation of the Russian Federation”, 05.12.1994, No 32, art. 3301

The system of anti-corruption legislation of the Russian Federation



Pic. 1
The system of anti-corruption legislation of the Russian Federation

In practice, it is possible to consider different options for systematizing anti-corruption legislation.

In practice, it is possible to consider different options for systematizing anti-corruption legislation.

Given the intensive rule-making in the field of combating corruption and the presence of a multiplicity of regulatory legal acts, we believe that one of the possible ways is to systematize anti-corruption legislation into modules, or “blocks”, depending on the subject of regulation. We are talking about such institutions as:

- a. the legal status of public officials;
- b. submission of information on income, expenses and property obligations;
- c. control over the expenses of public officials;
- d. anti-corruption expertise;
- e. prevention and settlement of conflicts of interest;
- f. employment of public officials after dismissal from service;
- g. legal protection of persons reporting corruption;
- h. the obligation of organizations to take measures aimed at preventing corruption.

From the general regularities of the structure and functioning of systems identified by science, certain systemic properties of legislation in the field of combating corruption follow.

Firstly, the structural elements of anti-corruption legislation are united by systemic links, which gives the system a certain integrity.

Secondly, each element of this system contributes to the implementation of common tasks, which gives this system a certain direction;

Thirdly, anti-corruption legislation is characterized by its own internal structure, which is manifested in the differentiation of elements (institutions) and the presence of different levels of internal organization;

Fourth, anti-corruption legislation forms specifically cross-functional links with the backbone branches of legislation (constitutional, administrative, criminal, civil, labor legislation, etc.).

The fifth, main feature of anti-corruption legislation, identified by Academician of the Russian Academy of Sciences T.Y. Khabrieva, is the ability to reconfigure the system of legislation for one's own purposes.

There is a tendency to increase the influence of the constitutional and legal framework for combating corruption on the current anti-corruption legislation, which occurs in the following areas:

- a. strengthening mutual trust between society and the state;
- b. formation of a single standard of restrictions, prohibitions and obligations for certain categories of persons;
- c. prevention of regulatory capture;
- d. institutionalization of the anti-corruption function of the state;
- e. development of institutions of public and parliamentary control.

Strengthening the constitutional and legal foundations of anti-corruption regulation will contribute to the recognition of the fight against corruption as a long-term state task and to the development and consolidation of the relevant regulatory framework.

Another important trend in the development of anti-corruption legislation that affects its systematization is the specification of the conceptual apparatus contained in the Federal Law of December 25, 2008 "On Combating Corruption" (the categories of "corruption", "conflict of interest" and "personal interest") with attribution to it of intersectoral significance.

As a new trend that has emerged as a result of the application of the institute of anti-corruption expertise of regulatory legal acts and draft regulatory legal acts, it should be noted that the role of prevention of corruption offenses in all sectoral legislative acts has been strengthened on the basis of the provisions of Article 6 of the Federal Law "On Combating Corruption". In fact, we can talk about the inclusion of preventive anti-corruption norms in sectoral legislation. This trend actualizes the conduct of legal monitoring in order to identify conflicts and ambiguous interpretations, clarify and ensure the balance of the elements of the relevant offenses with the introduction of proposals for improving legislation.

The final trend in the development of anti-corruption legislation is the consolidation of the laws of the constituent entities of the Russian Federation on combating corruption and increasing the legal significance of the basic regional law as a comprehensive regulator of social relations in this area.

The study enabled the proposal of the following approaches to systematizing anti-corruption legislation. Thus, the preferred approach to systematizing anti-corruption legislation is consolidation, which can be implemented in several ways.

The first way to consolidate anti-corruption legislation is to consolidate the basic Federal Law “On Combating Corruption” by incorporating new provisions and by progressively developing the existing norms, taking into account the regulatory material accumulated at the subordinate level.

In the future, as the regulatory material accumulates, it is possible to predict the use of another method of consolidating anti-corruption legislation: the replacement of the Federal Law “On Combating Corruption” with a new, consolidated regulatory legal act. This regulatory legal act may cover not only the traditional subject area but also new ones, including the application of state information systems in combating corruption and preventing the implementation of criminal schemes to withdraw budget funds abroad. In other words, it is advisable to focus on enhancing the technological effectiveness of anti-corruption measures, thereby depriving corrupt behavior of its economic and social meaning. At the same time, it seems expedient to preserve the above-described systemic features of anti-corruption legislation, without proceeding to its full codification.

The predictive model of systematization of anti-corruption legislation is associated not only with the current process of its consolidation, but also with the process of informatization, including the convergence of legal, technical and digital tools for the execution of regulatory legal acts. In this context, the modular model of anti-corruption legislation being developed by the Institute of Legislation and Comparative Law under the Government of the Russian Federation, as well as its alignment with anti-money laundering regulation, can serve as a promising and convenient framework for further systematization.

As part of the work on the systematization of anti-corruption legislation, it is advisable to specify and detail the by-laws of the President of the Russian Federation and the Government of the Russian Federation, which will allow for taking into account departmental specifics to a greater extent, as well as reduce departmental lawmaking in the field of combating corruption. This result can be achieved through the development of appropriate procedures and the provision of direct action, as well as through methodological support.

In the work on the systematization of anti-corruption legislation, it is also advisable to involve large reference legal systems that allow for the download

of the rubricator of the anti-corruption legislation system in real time, as well as to visualize all cross-sectoral relationships. Such work will subsequently provide a solid basis for reflecting anti-corruption legislation in the relevant classifier of regulatory legal acts.

2 INTERNATIONAL ANTI-CORRUPTION STANDARDS AND THEIR IMPLEMENTATION

The first decades of the 21st century are marked by the active incorporation of international anti-corruption standards into national legislation across various states, underscoring the need to understand the limits and constraints that may arise in their implementation. This problem is directly related to jurisprudence, as the process of adapting international standards to the national legal system inevitably gives rise to conflicts and legal issues.

The study of the limits of implementing international anti-corruption standards will help ensure their effective and balanced application in national jurisdictions and will include both a theoretical analysis of the norms and principles of international anti-corruption legal instruments and other documents, and practical aspects of their implementation at the national level.

The concept of anti-corruption standards is absent from Russian legislation. At the same time, their definition is given in Article 2 of the CIS Model Law “Fundamentals of Legislation on Anti-Corruption Policy” (hereinafter referred to as the CIS Model Law): “anti-corruption standards are guarantees, restrictions or prohibitions that are uniform for a separate sphere of legal regulation, ensuring the prevention or reduction of the impact of corruption on the functioning of this area”.²⁵⁷

In turn, Academician of the Russian Academy of Sciences T.Y. Khabrieva formulated the definition of international standards: “these are the principles of international law relating to a particular area of legal regulation, which are enshrined in international acts, international legal customs, as well as in acts of a recommendatory nature, which, nevertheless, have legal significance.”²⁵⁸

It should be noted that the generally recognized principles and norms of international law, as well as the international treaties of the Russian Federation, together with federal laws and other regulatory legal acts, constitute the legal basis for combating corruption²⁵⁹.

257 Adopted at the twenty-second plenary session of the Interparliamentary Assembly of the CIS Member States (Resolution No 22-15 of November 15, 2003). Information Bulletin. Interparliamentary Assembly of the Member Nations of the Commonwealth of Independent States. 2004. N 33. Pp. 225 - 260.

258 Khabrieva T.Y. Chosen works: v 10 t. T. 1: monography. Teleological (purposive) interpretation of Soviet law. Interpretation of the Constitution of the Russian Federation. Venetian Commission as a subject of interpretation of law. M., 2018. P. 479.

259 Article 2 of Federal Law No 273-FZ.

Why are international norms (standards) in the field of combating corruption so important for states when building a national anti-corruption policy and its legal framework?

International standards establish internationally agreed anti-corruption principles. They serve as a model for States to strengthen their anti-corruption legal frameworks, provide governments with guidelines for developing and reforming national laws, systems, and processes, and create channels for international cooperation in combating corruption²⁶⁰. “The anti-corruption policy of the state is built taking into account international legal standards” (Part 5 of Article 6 of the CIS Model Law).

The standards under consideration are equally important for the public and private spheres of the state, in their internal relations and within the framework of international cooperation, since corruption is not a local problem, but a transnational phenomenon. The Anti-Corruption Charter of Russian Business²⁶¹, for example, declares: “The Russian business community sees its mission in following high standards of doing business that comply with internationally recognized norms.”²⁶²

If we take international treaties (conventions) on combating corruption, they are not self-executing and require states to have appropriate legislation and measures to implement the conventions:

The UN Convention against Corruption is the only legally binding universal anti-corruption instrument, adopted by the UN General Assembly in October 2003 and entered into force on December 14, 2005 (as of July 2023, it has 189 parties);²⁶³

OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions²⁶⁴. It was opened for signature on December 17, 1997, entered into force on February 15, 1999 (all 36 OECD member states and six other states ratified this Convention)²⁶⁵, and was accompanied by other agreements. Russia currently holds observer status in the OECD²⁶⁶.

Regional agreements: 1996 Inter-American Convention against Corruption, 2003 African Union Convention on Preventing and Combating Corruption,²⁶⁷ and the Arab Convention against Corruption of 2010.²⁶⁸

260 See.: DCAF Toolkit—Legislating for the Security Sector: International Standards of Financial Oversight in the Security Sector, 2015. URL: https://www.dcaf.ch/sites/default/files/publications/documents/EN_International_standards.pdf

261 The Anti-Corruption Charter of Russian Business was signed at the XI Investment Forum in Sochi, which took place on September 20-23, 2012. URL: <https://tass.ru/forumsochi2018/articles/4956849>

262 URL: <https://mintrud.gov.ru/uploads/editor/2a/93/Антикоррупционная%20хартия%20российского%20бизнеса.pdf?ysclid=lu2g5jy88r120740308>

263 URL: <https://epp.genproc.gov.ru/web/gprf/activity/combating-corruption/international/implementation>

264 URL: <https://www.oecd.org/corruption/oecdantibriberyconvention.htm>.

265 Federal Law of February 1, 2012 No 3-FZ “On the Accession of the Russian Federation to the Convention on Combating Bribery of Foreign Officials in the Implementation of International Commercial Transactions” // *Sobr. zakonodatel'stva Ross. Federatsii*. 2012. No 6, art. 622.

266 URL: <https://digital.gov.ru/ru/activity/directions/307/>

267 URL: <https://papsrepository.africa-union.org/handle/123456789/544>

268 URL: <https://www.acta.gov.qa/ar-qa/Conventions/Documents/Arab-Convention-Against-Corruption-AR.pdf>

The Council of Europe Criminal Law Convention on Corruption entered into force on 7 January 2002.²⁶⁹ In order to prevent discriminatory attitudes towards Russia, the process of denunciation of the 1999 Criminal Law Convention of the Council of Europe was initiated within the framework of the assessment mechanisms of the Group of States against Corruption (GRECO).²⁷⁰

Conventions have two main objectives. The first is to eliminate differences in national legal systems that impede mutual legal assistance; the second is to set standards for national legislation so that it can be effectively applied in the fight against corruption and to monitor compliance with those standards for individual countries and regions, including through international cooperation.

The inadmissibility of establishing anti-corruption standards below the level determined by the laws of the state

These conventions set minimum standards that national implementing legislation must meet. The laws of the state cannot fall below this minimum level.

To implement these conventions, countries must first determine where and to what extent their anti-corruption legislation falls short of the conventions' standards. Once deficiencies in the country's domestic legislation are identified, they must be²⁷¹ addressed.

Taking into account the role of the norms of international law in the national legal system, Y.A. Tikhomirov, in turn, proposed to create a general Council to ensure the compliance of Russian legislation with the standards of interstate organizations, to develop a set of typical requirements for "legal readiness" and to adopt specific targeted programs²⁷².

In turn, the recommendations of international organizations, model codes, and guidelines also contribute to the implementation of anti-corruption norms of international law within the framework of the international implementation mechanism.

Many actors are involved in the development and implementation of legal frameworks and international standards: international organizations and experts who develop standards, national authorities that support these standards, and officials of bodies and organizations that implement them.

The World Bank's global and regional initiatives include providing leadership in the creation of international transparency standards (Global Financial Transparency Initiative²⁷³, Open Contract Standards, Asset Disclosure Stan-

269 URL: <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treaty-num=174>

270 Federal Law of 28.02.2023 No. 42-FZ "On the denunciation by the Russian Federation of the Convention on Criminal Liability for Corruption" // *Sobr. zakonodatel'stva Ross. Federatsii*. 2023. No 10, art. 1565.

271 See.: OECD Glossaries: Corruption: A Glossary of International Standards in Criminal Law, 2008. URL : https://read.oecd-ilibrary.org/governance/corruption_9789264027411-en#page3

272 See: Tikhomirov Y.A. Implementation of International Legal Acts in the Russian Legal System // *Journal of Russian Law*, 1999. № 3/4. P. 89.

273 URL: <http://www.fiscaltransparency.net/>

dards²⁷⁴) and supporting the implementation of open government (through support for the Open Government Partnership²⁷⁵).

Or another example: International Standards of Supreme Audit Institutions (ISSAI) – a set of professional standards and best practice recommendations for public sector auditors, officially approved and endorsed by the International Organization of Supreme Audit Institutions (INTOSAI). These international standards set out the basic prerequisites for the proper functioning and professional conduct of supreme audit institutions, as well as the basic principles for auditing state bodies²⁷⁶.

It is noted that the Accounts Chamber of Russia, a member of the INTOSAI Governing Board, “gives priority to promoting the principles of openness, accountability, study, and dissemination of best practices in the field of combating corruption.”²⁷⁷

In the business sphere, for example, voluntary international anti-corruption standards have become widespread: ISO 19600:2014 Guidelines on Compliance Management Systems²⁷⁸; ISO 37001 Anti-Bribery Management System²⁷⁹; ISO 37301:2021, Compliance management systems²⁸⁰; 2018 ICC Guidelines on Conflicts of Interest in Enterprises²⁸¹; 2010 OECD Recommendation on Further Action against Bribery of Foreign Public Officials in International Business Transactions (updated 2023)²⁸², etc.

Thus, in 2016, the Ministry of Economic Development of Russia initiated the dissemination of the Guidelines among leading Russian business associations in order to ensure further awareness of its provisions among organizations and companies that are members of these business associations, associations, as well as to take the Guidelines into account in their anti-corruption activities²⁸³.

The process of contamination²⁸⁴ between the models of anti-corruption standards is complex and is characterized by mutual influence²⁸⁵. In the “horizon-

274 URL : <http://standard.open-contracting.org/latest/en/>

275 URL : <https://www.opengovpartnership.org/>

276 URL : <http://www.intosai.org/about-us/issai.html>

277 URL : <https://ach.gov.ru/news/svetlana-orlova-na-soveshchanii-posvyashchennom-20letiyu-konventsii-oon-protiv-korruptsii>

278 URL : <https://cdn.standards.iteh.ai/samples/62342/485ecf2d24ff43f0bfbfca674167e53c/ISO-19600-2014.pdf>

279 URL : <https://www.udemy.com/course/iso-37001-anti-bribery-management-system/>

280 URL : <https://www.iso.org/standard/75080.html>

281 URL : <https://iccwbo.org/wp-content/uploads/sites/3/2018/08/icc-conflicts-of-interest-guidelines-july-2018.pdf>

282 Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions. URL : <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0378#mainText>

283 Information Materials on the implementation of the statements of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and its implementation in the Russian anti-corruption legislation and law enforcement practice. P. 10. URL : https://docs.yandex.ru/docs/view?url=ya-browser%3A%2F%2F4DT1uXEPPrJRXIUfoewruLwHmVVS9Zj1GsDY9EKuOYe6pfBta_pASD8xb1zwDADsmH_otSMVdGf9RaAZPkahB4KRWoqP475upIP4Lo4-ZVS15hr3IKtMxEJN-QelkuoDKYgDFUrryZnq6akoh1ko0lw%3D%3D%3Fsign%3DzXuArjDsyDggJzC6cVIIELVMxA_zlOj-fLTOQW-ejCng%3D&name=Информационные%20материалы%20о%20Конвенции%20ОГСП_ENG.doc&nosw=1

284 Contamination (Latin *contaminatio* – mixing) is a mixing, merging of heterogeneous factors into a new totality.

285 See.: Parisi N. Assessment of the effectiveness of anti-corruption measures for the public sector and for private entities. *ROLACC Journal*, 2018. 2. p. 4.

tal” format, a state can draw on another state’s experience to build its national anti-corruption system.

More often, the process of contamination in the formation of an anti-corruption system works vertically. Thus, the anti-corruption strategy of the Italian legal system, for example, is grounded in international ideas that influence the national legal system, guiding it toward the basic principles of the anti-corruption model²⁸⁶.

In addition, the process of vertical contamination proceeds in the opposite direction: effective practices of individual states can be transferred from a national program to an international one through the work of various interstate working groups, in which both private individuals in this state and representatives of the public sector participate. Thus, the dissemination of best practices at the international level tends to develop the process of harmonizing and strengthening national strategies, leading to considerable confusion: national best practices brought to the level of international cooperation do not remain unchanged; There is a mutual influence, international standards are enriched by some best national practices, which in turn are improved and enriched by many practices accumulated in other national contexts. This process, with its cyclical order of work, mutually enriches both legal systems – international and national.

It is this model of interaction between international legal and national anti-corruption systems that has been identified by the CIS member countries as a priority area of international cooperation in the field of anti-corruption policy: “conducting national rule-making taking into account international anti-corruption standards and principles, as well as conducting international rule-making taking into account national anti-corruption standards.”²⁸⁷

ISO 37001²⁸⁸ – Model 2016 (Anti-Corruption Corporate Governance System) falls under the “mutual contamination” category. It contains standards that were mainly developed at the national level: in fact, the model originates from a combination of two national standards – the UK (UK Bribery Act, 2010²⁸⁹) and the United States (Foreign Corrupt Practices Act, 1977 - FCPA²⁹⁰). Their content was included at the international level after a complex process of discussion and discussion on ISO, and in this form, these standards “returned” – entered these legal systems.

The Guidelines for the Development and Adoption of Measures to Prevent and Combat Corruption by Organizations, prepared on November 12, 2013

286 See.: OECD, Italy Integrity Report: Strengthening Integrity in the Public Sector, Restoring Confidence for Sustainable Growth, 2013. 106-107. URL: http://www.keepeek.com/Digital-Asset-Management/oecd/governance/rapporto-ocse-sull-integrita-in-italia_9789264206014-it#.WgCDWo_Wzow#page2

287 Article 32 of the CIS Model Law.

288 ISO 37001, Anti Bribery Management Systems. Requirements with a guide to use (2016). This standard was developed to help organizations reduce the risk of corruption and, through their widespread adoption, create a common framework for this. URL: <https://www.iso.org/standard/65034.html>

289 URL: <https://www.legislation.gov.uk/ukpga/2010/23/contents>

290 URL: <https://www.govinfo.gov/content/pkg/COMPS-9569/pdf/COMPS-9569.pdf>

by the Ministry of Labor of the Russian Federation in relation to the above-mentioned acts of the United Kingdom and the United States, states: “Organizations registered and (or) operating in the territory of the Russian Federation that are subject to such regulatory legal acts must also take into account the requirements and restrictions established by them.”²⁹¹

Conventions that enshrine the most general “framework” provisions that constitute the “framework” of international anti-corruption standards serve as minimum rules for building national anti-corruption systems and as legal guidelines for relevant legislation, in which states specify and develop the general provisions of international law. However, a high level of cooperation between states, grounded in shared problem-solving and recognition of common values subject to legal protection, may warrant more specific guidelines to advance the development and unification of national anti-corruption standards.

Thus, the CIS Model Law in Chapter 8 defines anti-corruption standards as a set of guarantees, restrictions, and prohibitions for 12 priority areas of anti-corruption policy regulation (see Table 1). The assignment of the sphere of legal regulation to the list of priorities for implementing anti-corruption policy measures is a mandatory basis for developing specialized regulatory legal acts or norms governing anti-corruption standards and other measures to combat corruption in the relevant area (Part 2 of Article 5 of the Model Law).

Table 1. Anti-Corruption Standards of Priority Areas of Legal Regulation of Anti-Corruption Policy

No. p/p	No articles of the CIS Model Law	Priority area	Standards		
			Guarantee	restrictions	Prohibitions
1	18	implementation of the right to referendum, electoral rights and the activities of parties	+	–	+
2	19	State power, state and municipal service	+	+	+
3	20	service in commercial and other organizations	+	+	–
4	21	lawmaking	+	+	+
5	22	Judicial and law enforcement activities	+	+	+
6	23	Budget Process and Budget Lending	–	+	+
7	24	Credit and Banking Activities	–	+	+
8	25	Issue of state and municipal securities	+	+	+
9	26	privatization of state and municipal property	–	+	+
10	27	Implementation of state and municipal procurement	+	+	+
11	28	licensing of certain types of activities, registration of legal entities, examination and certification of products and services	+	+	+
12	29	providing and receiving foreign financial and humanitarian assistance	–	+	+

291 URL: <https://www.garant.ru/products/ipo/prime/doc/70399600/?ysclid=lu2fix8jxf601593604>

In this contextual meaning, international law acquires the features of not just interstate law, but “inter-legal” (jus inter jura). The term “interlegal” in this situation may mean that modern international law not only regulates relations between states, but also takes into account and interacts with their legal systems. This trend is due to the growing interdependence of the modern world, where globalization, cross-border problems and technological advances require concerted action not only at the international level, but also within different legal systems.

As for Russia’s readiness to confront global corruption problems, back in 2016, the President of the Russian Federation V.V. Putin noted that Russian anti-corruption laws and the practice of their application comply with international standards, and that our country has introduced mechanisms that make it possible to identify corruption schemes at any level, promptly respond to them and, if necessary, isolate corrupt officials²⁹². At the same time, the President of the Russian Federation called for “moving on” and improving anti-corruption mechanisms²⁹³.

It seems that Russia’s withdrawal from the Council of Europe Criminal Law Convention on Corruption, the provisions of which have already been implemented in Russian legislation, will only contribute to its further development, based on an analysis of the practice of its application. The denunciation of this Convention underscores the need to develop a Eurasian anti-corruption strategy that takes into account the peculiarities of the member states’ legal systems and unifies the countries of the Eurasian region’s anti-corruption efforts²⁹⁴.

At present, Russia continues to actively participate in the anti-corruption formats of the CIS²⁹⁵, BRICS²⁹⁶, SCO, G20,²⁹⁷ and APEC²⁹⁸.

Thus, at the XV BRICS Summit, which was held under the motto “BRICS and Africa: Partnership for Joint Accelerated Growth, Sustainable Development and Inclusive Multilateralism” (South Africa, August 23, 2023), the Johannesburg II Declaration was adopted, in which the participating States reaffirmed their commitment to strengthening international cooperation and interaction in the fight against corruption, and confirmed the existence of a solid foundation for combating corruption through capacity building, including training programs and the exchange of best practices applied in each of the participating countries.

292 URL: <https://tass.com/politics/852253>

293 URL: <https://investfuture.ru/news/id/73661?ysclid=lu2gjf39q974252462>

294 Concept.

295 The Russian Federation is a member of the Interstate Council on Combating Corruption within the CIS. https://www.mid.ru/ru/foreign_policy/vnesnepoliticeskoe-dos-e/mezdunarodnoe-antikorruptcionnoe-sotrudnicestvo/

296 Results of the BRICS anti-corruption format in 2023 11.01.2024. URL : https://www.mid.ru/ru/foreign_policy/international_safety/crime/anti-corruption/1924975/

297 The Group is implementing an Anti-Corruption Action Plan for 2022-2024. URL : https://www.unodc.org/documents/corruption/G20-Anti-Corruption-Resources/Action-Plans-and-Implementation-Plans/2021_G20_Anti-Corruption_Action_Plan_2022-2024.pdf

298 The Russian Federation is a member of the APEC Anti-Corruption and Transparency Group. URL: https://www.mid.ru/ru/foreign_policy/vnesnepoliticeskoe-dos-e/mezdunarodnoe-antikorruptcionnoe-sotrudnicestvo/

International cooperation will be strengthened through the establishment of joint networks for information exchange and mutual legal assistance to combat illicit financial flows and safe havens, and facilitate the investigation, prosecution, and return of stolen assets in accordance with the domestic laws and regulations of the BRICS countries.

According to the SCO Development Strategy until 2025, combating corruption is a priority for the SCO in ensuring regional security and stability. The organization's primary focus is on building a united anti-corruption front, aimed at coordinating the efforts of SCO member states to combat corruption²⁹⁹.

Russia takes an active part in the international anti-corruption agenda. The Agreement on Cooperation of the CIS Member States in Combating Corruption is expected to be ratified. The Agreement, signed at the Council of Heads of State of the CIS in Astana on October 14, 2022, provides for the development and implementation of a coordinated policy, joint programs, and measures to combat corruption, strengthen the legal framework, and facilitate information exchange³⁰⁰.

In addition, our country is interested in strengthening bilateral cooperation on this issue with other countries, particularly in mutual legal assistance in criminal matters.

The organization of work on the development of regional and sub-regional, in particular, Eurasian anti-corruption standards should be based on the best models and practices, and their acceptability should be ensured for all participants in integration associations. As such an "Eurasian" benchmark, we can consider the methodological recommendations prepared by the Accounts Chamber of the Russian Federation for the identification and assessment of corruption risks during control and expert-analytical work. This international standard³⁰¹ can be adopted by the control and accounting bodies of the respective states.

Work on developing such standards should be based on a regional anti-corruption roadmap. During the consultations, it is necessary to identify common priority areas for standardization, for example, the prevention of corruption and abuse in the field of public procurement, the improvement of the regulatory framework for public procurement, the main stages of the implementation of the roadmap (assessment of the current legal and regulatory framework for procurement in each jurisdiction for the prevention of corruption). identifying gaps and providing recommendations to ensure compliance; current anti-corruption measures on participation in public procurement; assessment of the ability to identify corruption risks in procurement

299 URL: <http://www.infoshos.ru/ru/?idn=25702>

300 URL: <https://tass.ru/politika/17324627>

301 URL: <http://reglament.council.gov.ru/events/news/150847/>

processes and the development of tools to mitigate these risks; development, improvement and implementation of a methodology for assessing and reducing corruption risks in the field of public procurement based on existing best practices; strengthening the due diligence process conducted by the body responsible for preventing conflicts of interest in each jurisdiction, including through e-procurement and other digital tools, etc.).

In order to recognize international standards as an integral part of the legal system of the Russian Federation, these standards must, first of all, be reflected in the minds of citizens. That is, international anti-corruption norms of conduct should be perceived as standards not only and not so much in legislation through direct application or through the adoption of special laws, but also as standards of conduct for everyone. In Russia's anti-corruption law, it is necessary to ensure an appropriate level of legal views, perceptions, and ideas, i.e., to provide the basis for the development of a legal culture³⁰².

An analysis of the practice of implementing international anti-corruption standards within the national legal system allows us to recognize an independent state function: the implementation of international law. The effectiveness of this function can be achieved by solving two, in our opinion, the most important tasks: 1) achieving the mobility of integration mechanisms through legal and organizational instruments; 2) improving the methods of "getting used to" international standards in Russia in all areas (law, economics, culture, consciousness, etc.)³⁰³.

At the same time, the analysis of international anti-corruption activities shows that when combining various practices (domestic, regional, sub-regional, and international), typical organizational and legal complexes have emerged – models of anti-corruption state-building. In this regard, it is possible to raise the question not only of the implementation of the norms of international law aimed at combating corruption, but also of the implementation of the relevant practice, that is, standards as a system of legal provisions, bodies implementing them, and models of anti-corruption behavior (governance and compliance). Initially, such models (typically) are developed in states; once assessed (approved) and supported by the international community, they are implemented in other states. Acquiring an "inter-legal" (*jus inter jura*) character, international anti-corruption standards actively influence national policy in this area and interact with states' legal systems, striving to harmonize them in addressing global problems in modern political and public life.

302 See: Suntsov E.A., Truntsevsky Yu.V. Theoretical Problems of Implementation of the Norms of International Criminal Law in Russia // *Moscow Journal of International Law*. 1997. № 2 (26). Pp. 92–99.

303 See: Truntsevsky Yu.V. Correlation of the norms of domestic and international law in the humanitarian sphere. In the collection: *International Covenants on Human Rights: Value Characteristics of the Materials of the International Scientific and Practical Conference*. 2016. Pp. 91–95.

3 FORECASTING THE DEVELOPMENT OF LEGAL REGULATION IN THE FIELD OF COMBATING CORRUPTION

Combating corruption requires not only immediate responses to current challenges, but also long-term planning and forecasting. Forecasting the development of legal regulation in the field of combating corruption includes the analysis of current legislation, the identification of its shortcomings and gaps, as well as the prediction of possible changes and improvements in the future. This process requires not only knowledge in the field of law, but also an understanding of socio-economic processes, the political situation and other factors affecting corruption.

The relevance of forecasting the development of legal regulation in the field of combating corruption from the point of view of jurisprudence lies in the need for an effective fight against corruption and ensuring public safety. Such forecasts make it possible to adapt legislation to changing conditions and challenges, prevent possible problems and develop measures to eliminate them.

Improving forecasting methods for the development of anti-corruption legislation is becoming a key priority in the fight against corruption. This requires interdisciplinary research that accounts for all factors affecting corruption, the development of comprehensive models and development scenarios, and the constant monitoring and evaluation of current legislation. In the future, considering the rapid development of technologies that predetermine the ways to improve forecasting methods (innovative approaches, ICT, artificial intelligence, etc.) and changes in the international political environment, forecasting may improve significantly, which will make it possible to counter corruption more effectively at all levels. An integrated approach will allow not only the prediction of potential developments but also the development of effective measures to prevent and eliminate them.

The study's results enable us to draw conclusions that will guide the future development of the Russian Federation's legislation on combating corruption.

1. Based on the consolidation and improvement of legislation in this area, it can be assumed that in the future, the integration of various legal acts aimed at combating corruption into a single and integral legal block will continue. This process will create a more effective system of legal regulation and anti-corruption oversight across various spheres of public life.

Further development of anti-corruption legislation is envisaged to include the introduction of a range of regulators, including religious, ethical, social, and cyber mechanisms. This comprehensive approach will create more effective measures to prevent, identify, and punish persons who commit corrupt acts. The development of legislation will also aim to strengthen anti-corruption standards, thereby contributing to a more transparent and fair public relations system.

It is predicted that in the future the development of anti-corruption legislation will be based not only on legal, but also on moral, ethical, religious and technological principles. This will create new opportunities for a broader, more effective impact on corruption-related issues, changing their worldview and behavior. Thus, the development of anti-corruption legislation will help create a more just and transparent society, where corruption is unacceptable, provokes negative attitudes, and is met with appropriate punishment by society and the state.

2. The constitutional ascent of anti-corruption restrictions and prohibitions increases the role of the anti-corruption function of the state to the level of the basic law (the constitutional and legal essence of the anti-corruption policy of the state), ensures the structural completeness of the system of anti-corruption legislation, contributes to strengthening mutual trust between society and the state, and also ensures the formation of a unified system of prohibitions, restrictions and obligations aimed at preventing Corruption.

3. The relevant provisions of the Constitution of the Russian Federation in the new edition served as an impetus for the development of anti-corruption legislation not only at the federal level, but also at the level of the constituent entities of the Russian Federation. In this regard, it is possible to predict a trend towards harmonization of anti-corruption provisions at the level of legislation of the constituent entities of the Russian Federation, which will require a scientific substantiation of ways to improve anti-corruption institutions, which is taking place, among other things, at the level of the constituent entities of the Russian Federation.

4. The forced denunciation of the Council of Europe Criminal Law Convention on Corruption, the provisions of which have already been implemented by our country, actualizes the issue of rethinking the importance of the national anti-corruption system at the supranational universal level, the selectivity and ineffectiveness of the regulatory impact of the provisions of which have shown their inconsistency. In the near future, it is possible to predict the formation of new, already regional and subregional international legal arrays, and the development, taking into account the support of this trend, of a new Eurasian anti-corruption strategy, which could take into account the peculiarities of the legal systems of the participating countries and unite the interests and efforts of the countries of the Eurasian region in the anti-corruption sphere. The adoption of a new regional anti-corruption convention will help align member states' approaches to combating corruption and enhance the effectiveness of international cooperation.

5. As integration processes intensify, international anti-corruption standards will increasingly acquire the features of "inter-legal" law (*jus inter jura*). In the face of modern challenges and threats, such standards reach a new level of coordination of efforts of various states, guiding not only the anti-corruption

policy of the state, but also formulating universal legislative and law enforcement solutions within various legal systems in the field of combating corruption in the most important areas of domestic and interstate relations.

6. The development of national anti-corruption legislation around the world is characterized by the desire to create unique systems aimed at solving internal corruption problems. This is due to the need to account for the specific conditions and needs of each state. However, these unique systems must comply with international legal and integration standards, which will require constant adaptation and improvement of national legislation.

The projected development of national anti-corruption legislative systems will be based on an integrated and holistic approach. This approach will consider legislative, educational, and cultural measures to build a sustainable, dynamic anti-corruption system at the international and national levels, capable of addressing current challenges and providing an effective legal environment for economic and social development.

7. In the future, legislation in this area will evolve on the basis of several key trends:

First, anti-corruption legal systems will continue to rely on two basic approaches. The first approach involves creating specialized anti-corruption laws that serve as complex, comprehensive regulations. Such laws are already being implemented in countries such as Belarus, France, Kazakhstan, Kyrgyzstan, India, South Africa, and have demonstrated their effectiveness in establishing a general legal framework for combating corruption. The second approach focuses on adopting highly specialized laws and amending existing criminal laws. This path is typical for the United States, Britain, Canada, Germany, and China, where legislative measures focus on specific aspects of corruption offenses and provide more targeted regulation.

Second, universal international legal norms and regional integration norms will play a key role in shaping national legislation. Instruments such as the UN Convention against Corruption and the OECD Convention on Combating Bribery of Foreign Public Officials will continue to provide a framework for developing anti-corruption measures, ensuring uniformity and flexibility. These international norms will help States to adapt their legal systems to global requirements while maintaining unique national characteristics.

Thirdly, anti-corruption legislation in some countries, such as the United States, Britain, Canada, and France, that claims extraterritorial application will pose challenges to the international legal order. The extraterritoriality of these countries' national anti-corruption laws can interfere with jurisdictional and international public relations, creating a situation in which national law supersedes international law.

8. In Federal Law 273-FZ, which is a consolidated act, through its subsequent revision, intersectoral norms, clearly structured sub-institutions that have an impact on various branches of legislation have been formed. It is possible to predict a further increase in the legal significance of Federal Law 273-FZ as a comprehensive regulator of public relations, which can be achieved through the consolidation of anti-corruption legislation at the federal level and at the level of the constituent entities of the Russian Federation. In particular, the clarification of the concepts of “corruption”, “conflict of interest” and “personal interest” contained in Federal Law 273-FZ, as well as the detailing of the procedure for notifying of a conflict of interest and the list of measures to resolve it, will give these concepts the most generalized intersectoral meaning, ensure the unification of the provisions of the anti-corruption legislation of the constituent entities of the Russian Federation, local regulations of organizations. In the future, it is possible to adopt a unified definition of conflict of interest for anti-corruption purposes that apply equally to all legal relations.

9. In the coming years, it is likely that the emerging trend towards greater digitalization in the field of anti-corruption standards enforcement will be strengthened. Provisions governing their use will be reflected in the legislation on combating corruption, whose norms will evolve alongside the modernization of anti-corruption measures and procedures, and with improvements to information law. In the short term, it should be extremely relevant to achieve the goals of anti-corruption legislation to address the use of special information systems in the field of combating corruption, ensuring the reliability of the information contained therein and the promptness of its receipt, the use of digital profile and digital footprint technologies, as well as the protection of personal data and proprietary information of limited distribution.

Expanding the legal basis for the use of digital profiling and digital footprint for anti-corruption purposes will make it possible in the future to move to a system of assessment (scoring) of certain categories of persons, taking into account their compliance with restrictions, prohibitions, and obligations, as well as requirements for official conduct. In the medium term, it is likely that an anti-corruption component will be added to the social scoring system, which should be reflected in the subsequent national anti-corruption plan.

10. Combating corruption in the public and non-state sectors is based on general principles: publicity and transparency of activities; prevention of conflicts of interest. At the same time, the normative regulation of combating corruption in the private sector cannot be considered sufficient. It is necessary to harmonize and differentiate measures to prevent corruption that organizations are obliged to develop and adopt, taking a risk-based approach. In the medium term, it is possible to predict growth and the need to systematize the

regulatory framework governing organizations' obligations to take measures to prevent corruption.

11. In the near future, it is possible to predict further strengthening of the harmonization of anti-corruption legislation with the provisions of AML/CFT legislation, and convergence of legal and ethical regulators for combating corruption in the corporate sphere. Currently, codes of ethical conduct in organizations are approved by local regulations, which establish responsibility for violations of ethical standards. At the same time, there are no unified approaches to the content of ethical standards (each company has its own code of ethics), which erodes ethical incentives to achieve the specific goals set by anti-corruption standards for organizations. In this regard, substantiating the model of the anti-corruption corporate standard and developing a model code of ethics and official conduct for domestic companies seem promising.

12. It is possible to predict synchronization between two cyclical legal arrays – anti-corruption legislation and AML/CFT legislation.

In the future, we may see a new stage in the development of AML/CFT legislation, when the potential of modern computing, financial, and regulatory technologies can be leveraged for anti-corruption purposes.

We are discussing innovations in customer identification, digital profiling, and the use of artificial intelligence to monitor and track suspicious financial activities.

13. Another novelty that deserves the attention of researchers is the comprehensive institution of “loss of trust”, which regulates the application of anti-corruption measures covering various levels of management.

The unity of the institution of loss of trust is confirmed by general principles that consolidate its core principles and ideas. Such a legal institution conducts “end-to-end” oversight of relations to ensure conscientious compliance with constitutional, anti-corruption, administrative, and labor legislation.

In legal literature, trust is described as a “category of increased complexity”. Attention is drawn to the absence of relevant norms and definitions in current legislation that define loss of trust.

The seriousness of the consequences of dismissal on such grounds as loss of trust necessitates clarifying its definition. Speaking about the ideology of its implementation in the Russian Federation, it should be noted that not only does a specific representative of the employer lose trust in a person who has committed a corruption offense.

14. The predictive model of systematization of anti-corruption legislation is associated not only with the current process of its consolidation, but also with the process of digitalization, including the convergence of legal, technical, and digital tools for the execution of regulatory legal acts. In this context, the modular

model of anti-corruption legislation developed by the Institute of Legislation and Comparative Law under the Government of the Russian Federation, as well as its alignment with anti-money laundering regulation, can be promising areas for systematization.

15. The Anti-Corruption Strategy of Russia is represented by a “cascade”,³⁰⁴ two-level (central and peripheral) response to corruption risks: the first level is determined by the National Anti-Corruption Strategy, approved by the Decree of the President of the Russian Federation³⁰⁵, and the National Anti-Corruption Plan of Russia, designed for a certain period (initially for 2, then for 3, now for 4 years) and is “rolling”,³⁰⁶ as well as plans developed and implemented by individual public authorities, which in their entirety constitute the second level of the strategy under consideration.

This trend towards an anti-corruption “two-tier” will not change in the medium term, however, taking into account the current trends and measures taken within the framework of the National Anti-Corruption Plan, it can be assumed that its content for the second half of this decade will be aimed at improving anti-corruption mechanisms, introducing new anti-corruption measures, and strengthening control over their implementation. The national anti-corruption plan will become more focused and include clear, tough sanctions for violations of anti-corruption standards. The state will continue to strengthen the system for preventing corruption and enhancing public oversight of public authorities’ activities, which will improve the situation in this area over the next ten years.

16. It is expected that the work on the systematization and updating of legal acts at the level of subjects will continue with an emphasis on the analysis and implementation of best practices. The formation of a public legal culture in which corruption is perceived as unacceptable behavior will be the most important aspect of this work. The introduction of comprehensive education and training programs, along with ongoing updates to the legislative framework, will provide the necessary tools to successfully counter corruption in the future.

17. In the context of the development and improvement of municipal legislation in the fight against corruption, it is possible to make a forecast regarding the future of such development. The forecast assumes further steps to integrate new approaches and methods into municipal rulemaking to improve the transparency and effectiveness of anti-corruption work at the local level. The use of model

304 See: Parisi N. Op. cit. R. 5.

305 Decree of the President of the Russian Federation of April 13, 2010 No 460 “On the National Strategy for Combating Corruption and the National Plan for Combating Corruption for 2010 - 2011” // Collected Legislation of the Russian Federation. 2010. No 16, art. 1875.

306 Rolling planning is a planning technology that involves changing plans for the future after passing a certain stage of activity, “postponing” their boundary by the length of the passed stage. <https://delovoyimir.biz/problemsy-planirovaniya-i-upravleniya-denezhnym-potokami.html>

lawmaking and corruption risk maps will be particularly important, as it will standardize processes and provide uniform criteria for municipal activities. The use of information technologies will improve monitoring, management and reporting in the field of combating corruption, as well as increase the level of training and awareness of municipal employees.

18. It should be assumed that the further development of the regulatory framework for combating corruption will be aimed at deep integration of international anti-corruption standards and business practices into the implementation of national legislation. Implementing standards such as ISO 37001 and national standards will be an important step toward creating a robust legal framework to combat corruption within organizations. The participation of Russian companies in international initiatives, such as the UN Global Compact, will contribute to the adoption and adaptation of global best practices to the Russian context.

An important task is also the development of anti-corruption measures tailored to the size and structure of the business. For small and medium-sized enterprises (SMEs), minimum requirements for anti-corruption measures will be established to create fairer conditions and reduce administrative burden. Such an approach will contribute to effective corruption prevention and facilitate SME compliance.

Compliance programs will become an integral part of corporate governance. The introduction of codes of ethics, the creation of internal control units, and regular inspections will help to identify and prevent corrupt practices in a timely manner. Although the concept of “compliance” has not yet been enshrined in Russian legislation, its elements are already widely used in the practice of large companies, and their adoption will continue.

Improving whistleblower protection will be an important aspect of the legislative changes. The introduction of secure information and communication technologies to submit anonymous corruption reports, automate information processing, and provide feedback will significantly increase employee confidence in anti-corruption measures and enhance their effectiveness.

The projected development of anti-corruption legislation in the private sector will be based on a comprehensive and integrated approach, including the harmonization of international standards, ensuring corporate transparency, the use of digital technologies, in-depth anti-corruption education, and employee protection. This approach will ensure the creation of a sustainable and effective anti-corruption system tailored to the specifics of Russian business and aligned with international requirements.

4 CONCLUSION

Consideration of the main stages, trends, and patterns of development of legislation in the field of combating corruption made it possible to formulate a number of conclusions and proposals, which in their entirety prove the emergence of a new direction of research in legal science considered in the book, which requires separate study and comprehension.

1. International, universal, and regional norms play a leading role in the unification of national anti-corruption legislation. Harmonization with international norms and their adaptation to national conditions increase the effectiveness of anti-corruption measures. It is important to ensure the harmonization of anti-corruption legislation and the development of appropriate standards (anti-corruption state-building models) based on best practices (domestic, regional, sub-regional, and international) from the EAEU, CIS, BRICS, SCO, and other integration associations with Russia's participation.

2. Russian anti-corruption legislation, initially developed as part of the fight against organized crime, has evolved due to the implementation of a comprehensive anti-corruption policy formed during administrative reform, taking into account the process of implementation of international anti-corruption conventions. The basic law and constitutional standards have strengthened anti-corruption regulation and created the foundation for specialized acts. An integrated approach, including various regulators and technologies, makes corruption unprofitable and dangerous, causing public condemnation. Legislation will be strengthened, increasing pressure on corrupt behavior through multifaceted control and prevention measures.

3. The legislation of the Russian Federation on combating corruption is modern and developed, as well as sensitive to new challenges. As a result, the implementation of international anti-corruption standards is being shaped by national interests. Anti-corruption legislation is characterized by rapid development, with a constant expansion of the scope of legal regulation and an increase in the number of legal mechanisms. This trend should be maintained in the future, as it reflects the ongoing development of the Russian Federation's legislation on combating corruption and remains relevant.

4. The analysis of the constitutional and legal regulation of combating corruption has shown that anti-corruption has a dual legal nature as a peremptory international legal principle (underlying the creation of a branch of international anti-corruption law and the internationalization of the fight against corruption) and as a state function based on the Constitution and implemented through its sanctioned model of implicit or explicit convergent organizational and legal forms of combating corruption.

5. Ways to systematize anti-corruption legislation include the consolidation and consolidation of Federal Law No. 273-FZ of December 25, 2008, “On Combating Corruption”, the digitalization of the fight against corruption through state information systems, the development of a modular legal and technical model, the specification of by-laws, and the use of legal systems to visualize legislation. Consolidation and integration of digital technologies will create a more efficient and transparent legal system to combat corruption. The systematization of norms and the use of digital tools will strengthen the legal framework, reduce gaps, and improve coordination in anti-corruption regulation.

6. Taking into account the successful experience of digitalization, it is important to consolidate the use of digital technologies in the implementation of anti-corruption measures at the level of federal legislation, which will increase their transparency and efficiency. Thus, the transfer of income and property reporting to electronic format will require amendments to the laws “On Combating Corruption” and “On the State Civil Service” and to the relevant decrees of the President of the Russian Federation. software for electronic certificates and integration with the State Services portal, as well as to transfer the processes of identifying and resolving conflicts of interest to an electronic form.

7. Each constituent entity of the Russian Federation shall have its own system of anti-corruption regulations that supplement federal legislation and include measures to combat corruption, prevent, and control corruption. These acts need to be systematized and regularly updated to increase their effectiveness. It is important to integrate the best regional practices and to focus on legal education for citizens and employee training. The development of a culture in which corruption is perceived as unacceptable behavior is also key.

To systematize and update anti-corruption regulations across the Russian Federation’s constituent entities, it is necessary to create a centralized platform for collecting and analyzing information on these acts, introduce regular monitoring and evaluation of their effectiveness, and organize the exchange of best practices and methods between regions.

8. Excessive rulemaking at the regional level and the lack of clear legal institutions lead to inefficiency and gaps in anti-corruption legislation, creating prerequisites for corruption. To increase efficiency, it is necessary to consolidate and expand anti-corruption norms, eliminate gaps and contradictions, and enshrine the main anti-corruption institutions in the Federal Law “On Combating Corruption”. Consolidating and clarifying regulations will strengthen coordination and enforcement, reducing corruption risks and improving the legal framework.

9. Municipal rulemaking plays a key role in anti-corruption activities and requires continuous improvement in accordance with federal and regional standards. The use of model lawmaking, corruption risk maps, and modern informa-

tion technologies increases the transparency and efficiency of this activity. The introduction of these technologies at the municipal level contributes to the standardization of criteria and mechanisms, reducing corruption-related offenses and improving anti-corruption education, especially in remote areas.

10. Improvement of local regulations of organizations in the field of corruption prevention and anti-corruption compliance requires a comprehensive approach, including both updating existing documents and developing new standards. The primary optimization objective is to increase the transparency of internal documentation. Organizations should clearly record procedures for preventing corruption risks and design rules that are understandable and enforceable by all employees.

The next key area is the introduction of mechanisms to monitor compliance with anti-corruption standards, including periodic audits, as well as the creation of independent commissions to monitor and evaluate anti-corruption policy. It is important that these mechanisms are not only formal but also effective, and that their results inform adjustments to local acts.

In addition, it is necessary to train employees to identify corrupt behavior and to prevent it. The establishment of regular training and seminars within the framework of anti-corruption compliance contributes to the formation of a corporate culture based on “zero” tolerance for corruption and compliance with ethical standards, which in turn makes it possible to increase the level of awareness and responsibility of each employee in this area.

11. Anti-corruption legislation in foreign countries is developing in two directions: through the adoption of basic laws (for example, Belarus, Kazakhstan, South Africa) and highly specialized laws, including amendments to criminal legislation (for example, the United States, Britain, China). The anti-corruption legislation of certain unfriendly states (for example, the United States, Great Britain, France, and Canada) is extraterritorial in nature, affecting foreign jurisdictions and international relations.

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Laboratory for Combating Corruption, Money laundering and Terrorist Financing Employees (from the left to the right): Vladimir Matveev, Artem Tsirin, Ekaterina Cherepanova, Vyacheslav Sevalnev, Yuri Truntsevsky (head) and Sergey Matulis.

The Institute of Legislation and Comparative Law under the Government of the Russian Federation has been developing the legal issues of combating corruption since its foundation in 1923 and for more than a hundred years now. Its origins go back to the Institute’s long-standing research traditions on the study of criminal personality, economic and official crime.

The scientific foundation for modern interdisciplinary research on anti-corruption legislation and its application was laid by Academician of the Russian Academy of Sciences T.Ya. Khabrieva, Yu.A. Tikhomirov and other leading scientists of the Institute.

In 2011, to conduct interdisciplinary research on anti-corruption legislation and its application practices, the Institute established a specialized unit - the Laboratory for Combating Corruption, money laundering and Terrorist Financing (from 2011 to 2015 – the Laboratory for legal problems of anti-corruption, from 2015 to 2025 - the Department of anti-corruption methodology), consisting of which includes experts from various fields of scientific knowledge.

The laboratory provides coordination of scientific and educational and methodological support for combating corruption; trains young scientists to study

the problems of legal support for the implementation of anti-corruption policy; employees of the department carry out field empirical research, analyze the legal implementation practices of government authorities, state corporations and companies.

One of the areas of work is to maintain international cooperation with leading scientific centers in a number of foreign countries on issues of expert, educational and scientific activities. sources in a foreign language