

PROBLEMS OF ANTI-CORRUPTION IN KAZAKHSTAN**Zhanuzakov Abdurashid Nurlanovich**a_januzakov02@mail.ru2nd year student of the Eurasian National University L. N. Gumilyov,
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The historical roots of corruption probably go back to the custom of making gifts to gain favor. An expensive gift set a person apart from other petitioners and helped to ensure that his request was fulfilled. Therefore, in primitive societies, payment to a priest or chief was the norm. As the state apparatus became more complex and the power of the central government increased, professional officials appeared, who, according to the plan of the rulers, had to be content only with a fixed salary. In practice, officials sought to use their position to secretly increase their income.

Corruption is dangerous for any developing country. This problem should not be overlooked. Corruption itself means from the Latin bribery, venality. Corruption calls the bribery of officials their venality, corruption.

“In modern conditions, the fight against corruption has acquired a national character, since this phenomenon has affected state structures, the credit and financial system, the sphere of business activity and has become a reliable cover for organized crime. Moreover, there is a progressive attitude towards the law, as the only regulator of public relations, both on the part of citizens and officials. All this causes serious concern on the part of the state, as it affects the increase in the public danger of corrupt ties.”[1] Therefore, speaking about the negative features of our modern development, President of the Republic of Kazakhstan Kassym-Jomart Tokayev noted in his speech that " the fight against corruption is one of the priorities of the country's strategic development. And in this direction, a number of important tasks have been implemented” Kazakhstan has joined the international organization GRECO, the release of managers for corruption offenses of subordinates has been introduced by law, work on the examination of regulatory legal acts for corruption risks has been strengthened. The level of corruption in the public service system has increased in recent years so much that this problem has become a political one and has become a very serious threat to national security. Corruption, along with bureaucracy, with a low level of morality of many representatives of the state apparatus, distorts, in fact, state policy and the legislative framework of the civil service. It is well known that corruption has a very negative impact on the development of the economy and social infrastructure, primarily eating away at state authorities and management. Due to the corruption of a significant part of state and municipal employees, citizens are, in fact, forced out of the sphere of free mandatory services in the field of education, health, and social security: free public educational, social, and administrative services become paid for them.[2]

The Head of State said at a meeting on anti-corruption issues: "Compared to last year, the number of persons brought to justice increased by 11 % (from 820 to 912). In a survey conducted by Transparency International in 2019, 28.7 % of citizens identified public hospitals and polyclinics as a source of corruption. This is much more than for other state institutions (police-11.3 %, land relations department-7 %, state kindergartens-6.9 %). It is unacceptable that people, going to hospitals, worrying about their health, also think about who and how to pay for proper medical services." President of the Republic of Kazakhstan Kassym-Jomart Tokayev also pointed out the need to strengthen the fight against corruption during the pandemic, when the incomes of citizens decreased and the risks of embezzlement of funds allocated to support the economy increased.

The level of corruption in the education sector in Kazakhstan is still consistently high. In the first quarter of 2020, 106 corruption crimes were registered in the education sector. If we compare this indicator to the total number of registered corruption crimes, then every sixth fact of corruption falls on education. 38 persons were brought to criminal responsibility for their commission, 92 criminal cases were sent to the courts, and 17 persons were convicted. The established damage amounted to more than 97 million tenge, of which more than 61 million were compensated.

In 2019, 161 corruption crimes were registered in this area, 143 criminal cases were sent to the court, and 58 persons were convicted. The amount of damage increased more than twice and amounted to 551 ml. tenge, of which 301 million were reimbursed. [3]

The main causes of corruption in the field of education are the following:

1) the insufficient level of salaries of teachers, teachers of secondary technical institutions, universities. The consequence of low wages is the growth of other sources of income, including illegal or semi-legal ones. For example, cases of receiving bribes under the conditions of conducting individual classes with students or students are common;

2) insufficient level of training of students and requirements for admission to higher educational institutions. Wanting to enter a prestigious institute, the parents of such future students or the students themselves sometimes go to commit corruption offenses. The lack of motivation for young people to study independently makes them look for simpler solutions for obtaining a higher education diploma, which triggers a corrupt mechanism of bribes from teachers.

3) underfunding of the education system. Without receiving sufficient financial resources to carry out educational activities, educational institutions are forced to look for other sources of funding, including those related to corruption.

To solve this problem, I suggest the following:

1) strengthening the measures of criminal penalties for any, including minor cases of corrupt behavior;

2) a real increase in the salary of teaching staff, with the condition that teachers and teachers will not need to look for ways to earn money outside of educational activities;

3) development of systematic program measures to overcome corruption at the level of an educational institution.

The following measures should be included in the group of such measures:

- development of student self-government and active citizenship among students. Most students are afraid to report the facts of corruption, thereby covering up corrupt officials and contributing to the spread of corruption. Students with an open civil position in the conditions of a developed student government will be less tolerant of corruption;

- development of the mechanism of public control over educational activities, primarily on the part of parents, public organizations, educational control bodies.

The sphere of public procurement, when local executive authorities, having announced a competition online, buy goods, works and services from private entrepreneurs — is a fertile ground for corruption in Kazakhstan.

Since March 16, by the decree of the President of the country, Kassym-Jomart Tokayev, in connection with the coronavirus pandemic, a "special procedure for public procurement" has been in effect. This allows local officials (customers) to make purchases in a "single source" way by sending an invitation to "any supplier selected by the customer". By the way, such a special way of purchasing can only be carried out from domestic producers and suppliers.

Abuses in the field of public procurement, namely during tenders and competitions, do cause great harm to the property interests of the state, corrupt the bidding mechanism itself, but they are mostly hidden, since neither the bidder himself, nor his participants, and even more so the winner, are interested in cooperating with law enforcement agencies in order to detect such crimes. [5]

In Kazakhstan, thousands of violations in the field of public procurement are detected annually with damage to the budget for hundreds of billions of tenge. Among the most common corruption offenses are overestimation of the cost of the purchased goods or services, as well as participation in tenders and competitions of people affiliated with officials. For example, the former head of the Department of Culture and Sports of Nur-Sultan Nurlan Sydykov was sentenced to five years in prison for receiving a bribe by extortion on a large scale. In the first quarter of 2020, according to the Ministry of Finance, the department registered violations of 11,855 procedures in the amount of 191 billion tenge. For comparison: at the beginning of 2020, in January, the Ministry of Finance reported on identified financial violations in the field of public procurement in the amount of 39 billion tenge. Corruption in the sphere of public procurement is one of the most acute social problems of the state,

since it primarily undermines its economy, generates double standards in society, allows the existence of illegal schemes of "criminal business" (so-called "kickbacks"), which in turn lead to cynicism and hypocrisy of officials who run this sphere of distribution of state resources, and entrepreneurs and businessmen themselves, who ultimately accept these rules of the game and themselves become obedient cogs of this huge and dangerous criminal mechanism. To solve this problem, I suggest:

1) Ensuring transparency and transparency – ensuring the principle of openness and transparency at all stages of procurement; developing and implementing a system of public control over the implementation of public procurement; ensuring the publication of information about procurement.

2) Punitive – the creation of a system of effective anti-corruption, in which the commission of illegal acts in the field of public procurement entails the inevitable responsibility of those responsible for their commission;[6]

The above allows us to conclude that, given the scale of modern corruption, the depth of its penetration into various spheres of public life, the degree of its social danger, it is necessary to emphasize the importance of creating an effective rule of law in this area and integrating national state programs into it. Today, such a legislative concept of corruption is considered very superficially in national legislation, and only acts related to the illegal transfer of funds are recognized as corrupt. Accordingly, only the active application of all legal measures against all citizens, regardless of their social status in society, can lead to the desired result in the fight against corruption, and here we believe that it is necessary to equate the factors of corruption with high treason.

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