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FUNCTIONAL FEATURES OF THE ACTIVITIES OF THE MAIN INSTITUTIONS OF STATE POWER IN UKRAINE IN COMBATING CORRUPTION

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Relevance of the article lies in the fact that one of the key tasks of the state is to ensure the protection of the rights and interests of citizens that may be violated due to corrupt activities. Combating corruption is not only a public demand but also a crucial prerequisite for the stable functioning of state institutions, especially under the legal regime of martial law in Ukraine, which affects the operation of government bodies, including their ability to effectively counteract corruption. Studying the functional features of the activities of the legislative, executive, and judicial branches of power, as well as the President of Ukraine, in this context is critically important for ensuring public trust and preserving the institutional capacity of the state. Analyzing the administrative and legal status of these entities will contribute to improving their cooperation with the public, thereby strengthening public trust and encouraging citizens to seek protection of their rights from relevant institutions. This issue becomes particularly significant during wartime, when access to public services is complicated, and corruption can become one of the factors undermining the country's defense capability and the effective allocation of resources. At the same time, the impact of non-legal factors such as economic instability, political pressure, and limited financial resources exacerbates the risks of spreading corrupt practices. Under martial law, the effectiveness of government institutions largely depends on their ability to respond promptly to challenges while maintaining high levels of transparency and accountability. The legal status of each entity has been examined in the context of its role in the anti-corruption system, particularly under the legal regime of martial law. It has been established that the activities of state institutions are carried out at both the national and regional or local levels, which helps shape a balanced anti-corruption policy that considers specific regional circumstances.

At the same time, the study revealed a low level of interaction between different branches of power and the President in matters of combating corruption. This reduces the overall effectiveness of anti-corruption policy, causing duplication of powers in areas such as policy making and investigations. In the context of martial law, the issue of coordination becomes even

more pressing due to the need for rapid decision-making and the allocation of limited resources. The lack of effective mechanisms to encourage joint activities among government institutions creates additional obstacles to achieving the goals of reducing corruption levels. The conclusions emphasize that solving these problems is possible only through improving the coordination between government institutions, enhancing their functional responsibilities, and creating mechanisms to encourage cooperation. Additionally, it is necessary to adapt anti-corruption measures to the conditions of martial law, which will ensure the efficiency of institutions even under significant external and internal pressures.

In 2025, the fight against corruption remains a priority for all state authorities in Ukraine, as a high level of corruption undermines public trust in institutions and hinders economic development. Effective coordination between government institutions helps eliminate duplication of functions, increases transparency in decision-making, and minimizes the risks of corrupt practices. Insufficient interaction between law enforcement agencies, anti-corruption bodies, and the judiciary may lead to impunity for corrupt officials and reduce the effectiveness of reform implementation. In the context of increasing digitalization of public administration, coordinated anti-corruption measures will enable the implementation of modern monitoring technologies, preventing fraud and inefficient use of budget funds.

Corruption is a significant obstacle to obtaining international financial assistance, so coordinated efforts by government bodies will help ensure compliance with anti-corruption commitments to international partners. Strengthening interagency cooperation will allow for more effective investigation of corruption crimes, prosecution of offenders, and an increased level of inevitability of punishment. Coordinated actions between government bodies will contribute to the implementation of the national anti-corruption strategy, which is a necessary condition for the country's sustainable development. Interaction between state institutions will help create an effective system for preventing conflicts of interest among officials, thereby reducing corruption risks.

The coordinated activities of state institutions will contribute to improving mechanisms of public oversight, which, in turn, will strengthen government accountability to society. An anti-corruption policy based on joint actions by state authorities will ensure more efficient use of public resources and enhance the country's economic security. The lack of proper coordination between government structures may lead to ineffective anti-corruption investigations and a decrease in the number of actual convictions in corruption cases. To enhance the efficiency of public administration, it is necessary to introduce a unified anti-corruption information system that will facilitate data exchange between government bodies and enable timely responses to corruption threats.

Coordinated actions by government bodies will help reduce corruption levels in the field of public procurement, which is one of the key sources of misused budget funds. Strengthening interagency interaction will allow for more effective anti-corruption efforts at the regional level, ensuring equal access to administrative services for citizens. Joint efforts by state authorities in the field of anti-corruption policy will contribute to fostering a culture of integrity among civil servants and reducing society's tolerance for corruption.

Keywords: Verkhovna Rada of Ukraine, Cabinet of Ministers of Ukraine, court, judge, judicial system, anti-corruption court, functional features, state power institutions, legislative power, executive power, judicial power, President of Ukraine, corruption, combating corruption, administrative and legal status, anti-corruption policy, public administration, legal regime, martial law, civil service, public governance, interaction of branches of power.

Formulation of the problem. The spread of corruption has a negative impact on all spheres of social life and public administration, as it violates the rights and interests of legal entities, disrupts the established

order of social relations, and contradicts the principles of justice and equality. Therefore, anti-corruption activities are essential and should be encouraged at both the state and societal levels. At the same time, such activities must be professional and carried out in accordance with the law.

The research problem lies in identifying the functional features of the activities of the main institutions of state power in Ukraine—legislative, executive, and judicial branches, as well as the President—in combating corruption. The relevance of the issue is driven by the need to ensure effective anti-corruption policies in the face of contemporary challenges, particularly under the legal regime of martial law, which significantly impacts the operation of state institutions. The legal regime of martial law alters the administrative and legal conditions for the functioning of government institutions, necessitating the adaptation of their activities to new circumstances. In these conditions, ensuring transparency, accountability, and coordination between branches of power is critically important, as corruption during wartime can undermine national security and the effective use of resources. At the same time, there is a problem of overlapping powers between various institutions in matters of anti-corruption policy development and the investigation of corruption cases, which reduces the overall effectiveness of their activities. Additionally, the insufficient level of cooperation between these institutions weakens the implementation of a comprehensive approach to combating corruption. A significant challenge is the influence of non-legal factors, such as economic instability and political pressure, which can create additional obstacles to effective anti-corruption efforts. A thorough analysis of the administrative and legal status of each anti-corruption entity is required to develop mechanisms for enhancing their efficiency, particularly at the regional and local levels. The lack of public trust in state bodies fighting corruption also remains a significant barrier to reducing corruption levels. Therefore, addressing this issue requires a comprehensive study of the functional features of the activities of state institutions and the adaptation of their powers to the conditions of martial law.

Analysis of the study of the problem. The issue of the functional features of the activities of key anti-corruption entities and their characteristics has been repeatedly studied in the works of the following scholars: M. Buromensky, O. Vakarova, Ye. Vandin, T. Gzhybovska, V. Demyanchuk, O. Dotsenko, V. Karelina, F. Kirilenko, Yu. Kovbasyuk, V. Lytvynenko, V. Pautov, R. Radetsky, K. Rozsokha, K. Rostovska, M. Sibirakova, K. Titunina, L. Usachenko, and B. Yakymyuk. However, constant changes in competencies, improvements in administrative and legal regulation, and the creation of new specially authorized bodies indicate the need for updated scientific research. Between 2021 and 2025, many Ukrainian scholars dedicated their research to analyzing the fight against corruption in various branches of government and the role of the President of Ukraine. For instance, M. Hryshchuk, in his dissertation “Legal Support for Anti-Corruption Activities: A General Theoretical Aspect”, explored the legal mechanisms for combating corruption. In 2021 and 2022, the National Agency on Corruption Prevention (NACP) published reports titled “Corruption in Ukraine: Understanding, Perception, Prevalence”, which analyzed public and business perceptions of corruption. In 2023, the Kyiv International Institute of Sociology (KIIS) conducted a study on perceptions of anti-corruption efforts in Ukraine, highlighting the role of state institutions in this process. Additionally, in 2023, research was carried out on the state and challenges of combating corruption in the executive and legislative branches of government in Ukraine. These scholarly works and statistical indicators reflect the current state of academic research in the field of anti-corruption activities in Ukraine.

The article is aimed to study the functional roles of the main institutions of state power in Ukraine in combating corruption, particularly the classification of their functions depending on their level of involvement in anti-corruption activities. Three main groups are considered: entities with specific anti-corruption mandates, entities that facilitate anti-corruption activities, entities that voluntarily participate in combating corruption.

Presenting main material. After the Revolution of Dignity, a unique interdependent triangle emerged in Ukraine, defining strategic approaches to combating corruption. Civil society activists, as the primary drivers of change, actively draw international attention to systemic issues that often remain outside the government's interest. The Ukrainian authorities frequently fail to respond to the demands of civil society, striving instead to maintain a status quo that benefits their interests. At the same time, the European Union, keen on ensuring stability among its neighbors, seeks to establish economically robust and politically predictable relations with Ukraine. Corruption, deeply entrenched in many areas of public administration, remains the main obstacle to this goal. Consequently, international partners, including donor organizations, impose strict conditions on the Ukrainian government: systemic anti-corruption efforts become a prerequisite for receiving financial and technical assistance. The Ukrainian government, recognizing the importance of international support for stabilizing the economy and maintaining political legitimacy, is compelled to meet these demands. This approach should be seen as a positive aspect, as in countries lacking political competition, authorities often ignore international pressure, knowing their power remains unchallenged. As a result, a complex system of interaction forms between three key players: civil society, international organizations, and the Ukrainian government. It is worth emphasizing that civil society activists are the primary driving force of this triangle, as their actions act as a catalyst for international influence. European and American donors continue to insist on the need to establish transparent institutions, create effective accountability mechanisms, and ensure the independence of anti-corruption bodies. However, the implementation of reforms often faces significant resistance from certain representatives of Ukraine's political and economic elites, who are interested in preserving existing corruption schemes. The effectiveness of this tripartite cooperation is a decisive factor in achieving real change. The coordinated efforts of activists, international partners, and the government are essential not only for overcoming corruption but also for ensuring the long-term sustainable development of Ukraine. The success of this process should serve as a foundation for increasing public trust in state institutions, restoring Ukraine's international image, and solidifying its status as a modern European state.

One of the key actors contributing to the fight against corruption is the Verkhovna Rada of Ukraine. According to the Resolution of the Verkhovna Rada of Ukraine "On the list, numerical composition, and jurisdictions of the committees of the Verkhovna Rada of Ukraine of the ninth convocation" [1], the Verkhovna Rada includes a Committee on Anti-Corruption Policy. To access the Committee's meetings and events, prior registration with the Committee Secretariat is required by sending a letter to the official email address crimecor@rada.gov.ua or contacting by phone.

The Committee on Anti-Corruption Policy develops anti-corruption policies, conducts expert reviews of draft laws, oversees the activities of the National Anti-Corruption Bureau of Ukraine (NABU) and the National Agency on Corruption Prevention (NACP), as well as other state authorities. Additionally, it performs financial oversight of individuals authorized to perform state functions. The existence of a specialized committee facilitates the drafting of more substantiated and thorough anti-corruption legislation and ensures a higher quality and more consistent improvement of the administrative and legal framework for combating corruption.

A particularly important function of the committee is regulating the activities of other anti-corruption entities to prevent overlapping powers, ensure clarity in their operations, and promote transparency and openness. Beyond the activities of the specialized committee, the Verkhovna Rada contributes to combating corruption by ensuring adequate financial support through the adoption of the state budget. O. S. Dotsenko considers the Verkhovna Rada of Ukraine to be a key actor in reforming the law enforcement system and, consequently, combating corruption. However, this path of reform is hindered by the lack of political will and an effective anti-corruption strategy [2, p. 235]. The activities of the Verkhovna Rada of Ukraine have the potential to radically change the directions of anti-corruption policy, introduce new institutions and methods of counteraction, and adapt national anti-corruption legislation to meet international standards. However, the combination of such activities with significant economic and political pressure, as well as the

pursuit of private unlawful interests, significantly reduces the positive impact of the Verkhovna Rada's work. This is particularly evident in the quality of the legislative acts it adopts.

Thus, the mission of the Verkhovna Rada of Ukraine as an actor contributing to the fight against corruption lies in forming the legislative foundations for this activity, improving and adapting it to modern conditions, and ensuring the proper functioning of other anti-corruption entities. However, to enhance the quality and effectiveness of the Verkhovna Rada's work, it is essential to expand and specify mechanisms for protecting and detecting instances of unlawful pressure on Members of Parliament of Ukraine.

The Verkhovna Rada of Ukraine plays a crucial role in combating corruption through various functions. It adopts laws that establish the legal framework for tackling corruption, such as laws on anti-corruption agencies, transparency in public procurement, and oversight of public officials' income and expenditures. The parliament ensures the creation and operation of independent anti-corruption institutions, such as the National Anti-Corruption Bureau of Ukraine (NABU) and the National Agency on Corruption Prevention (NACP), and approves the state budget, including funding for these bodies. The Verkhovna Rada also oversees the activities of executive authorities, law enforcement bodies, and other institutions, requiring reports on their performance in the fight against corruption. It participates in appointing key officials responsible for combating corruption, such as Constitutional Court judges, the Prosecutor General, and other high-ranking officials. Additionally, the Verkhovna Rada adopts laws to ensure transparency in budgeting, public procurement, privatization, and other economic processes where corruption is most prevalent. It establishes mechanisms to hold officials accountable for violating anti-corruption laws, such as implementing mandatory income and expense declarations. The parliament ratifies international agreements on combating corruption and ensures their implementation in national legislation, such as the UN Convention against Corruption. It also adopts legislation that expands the ability of the public and media to monitor the activities of government bodies and prevent corruption. The Verkhovna Rada establishes specialized committees, such as the Committee on Anti-Corruption Policy, to focus on anti-corruption efforts, develop recommendations, and analyze the effectiveness of initiatives. Furthermore, the parliament has the authority to initiate audits of government bodies and conduct its own investigations into corruption cases, using parliamentary inquiries and temporary investigative commissions. Thus, the Verkhovna Rada of Ukraine serves as a key institution that shapes the legal foundation for fighting corruption, monitors the enforcement of laws, and fosters the development of democratic institutions.

The Cabinet of Ministers of Ukraine should also be considered among the subjects supporting the fight against corruption. According to Article 20 of the Law of Ukraine "On the Cabinet of Ministers", its competence includes "taking measures to prevent and combat corruption, as well as ensuring coordination and control over executive authorities regarding the fight against corruption". The Cabinet of Ministers of Ukraine combats corruption in several directions. First, it ensures proper working conditions, social protection, and security for all employees in labor relations with the state, thus reducing the need for corruption. Another direction involves coordination, which applies to all executive authorities and includes providing methodological recommendations, training, and encouraging the elimination of corrupt relationships, their rapid detection, and termination. However, the lack of specialized structural departments and qualified, experienced personnel in the field of anti-corruption efforts and coordination leads to the fact that the execution of such powers becomes secondary and is carried out without sufficient stability.

It can be summarized that the activities of the Cabinet of Ministers of Ukraine, as a subject supporting the fight against corruption, involve detailing the powers of government bodies in the field of anti-corruption and promoting interaction among them. At the beginning of 2023, there was an intensification of the government's work in combating corruption, as evidenced by informational reports about dismissals, accusations of corruption, and the detention of officials from various government agencies, including customs, taxation, and the Ministry of Defense.

The Cabinet of Ministers of Ukraine performs a number of key functions in the fight against corruption, aimed at ensuring transparency, efficiency in governance, and accountability of executive authorities. The main functions of the Cabinet in this area include the development and implementation of

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state anti-corruption policies, formulating and realizing strategies and programs to combat corruption, and defining the main directions of state policy in this field. The government coordinates the activities of central and local executive bodies, ensuring effective implementation of anti-corruption laws and programs. Additionally, the Cabinet ensures transparency in public administration by implementing electronic management systems, open registers, and monitoring tools that reduce corruption risks, such as the ProZorro electronic procurement system. It also provides funding for anti-corruption agencies like the NABU, NACP, and the Specialized Anti-Corruption Prosecutor's Office through the formation and execution of the state budget. The government monitors the distribution and use of public funds, including through the State Audit Service of Ukraine. Furthermore, the Cabinet of Ministers develops and submits draft laws to the Verkhovna Rada of Ukraine aimed at improving anti-corruption legislation. It ensures the fulfillment of international commitments related to anti-corruption, particularly in cooperation with the EU, UN, and GRECO (Group of States against Corruption). The Cabinet adopts regulations governing the ethical behavior of civil servants, conflict of interest, financial control, and the declaration of income and property. The government is also authorized to respond to corruption threats by initiating internal audits or involving law enforcement agencies. Lastly, the Cabinet of Ministers conducts information campaigns and training programs for citizens and civil servants to raise awareness of anti-corruption culture. Thus, the Cabinet of Ministers of Ukraine is the central executive body responsible for determining and implementing measures to minimize corruption risks in public administration, ensuring effective interaction with other authorities, and creating conditions for the development of a transparent society [3].

It is also important to note that the Cabinet of Ministers of Ukraine actively collaborates with other bodies both at the national and international levels for effective anti-corruption efforts. In particular, it maintains connections with international anti-corruption organizations and bodies with experience in addressing such issues. The introduction of digital platforms that allow for tracking and analyzing corruption risks in real-time is also significant. This includes improving existing mechanisms to combat money laundering and the financing of terrorism. Moreover, the Cabinet of Ministers continually focuses on developing the regulatory and legal framework that helps prevent corruption offenses among public officials and other individuals performing public functions.

Another subject that contributes to the fight against corruption is the President of Ukraine. There are several ways the President can influence anti-corruption efforts. According to Article 106 of the Constitution of Ukraine, the President appoints the Prosecutor General of Ukraine, one-third of the members of the Constitutional Court of Ukraine, who, in turn, influence the formation of anti-corruption policies and the interpretation of anti-corruption legislation. Moreover, the President has the right to legislative initiative, and the proposed bills can relate to combating corruption and improving the functioning of specially authorized bodies to combat corruption. Under the President of Ukraine, the National Council on Anti-Corruption Policy operates. The activities of this Council are aimed at developing bills in the field of anti-corruption, identifying shortcomings and contradictions in existing legislation, and working on scientific proposals for improving anti-corruption legislation. At the same time, the issue of improving cooperation between the specialized committee of the Verkhovna Rada of Ukraine and the National Council on Anti-Corruption Policy regarding joint development of proposals and their coordination needs further refinement. This will improve both the quality of the bills and reduce the time needed for developing and finalizing new legislation. It should be noted that the President of Ukraine, as a subject supporting the fight against corruption, directs his activities toward improving the legal regulation of anti-corruption efforts to ensure their alignment with the real needs of society and international (European) trends.

The President of Ukraine plays a crucial role in the state administration system in the context of anti-corruption activities, which includes strategic formulation, regulation, and implementation of anti-corruption policies. One of the main functions is the appointment of individuals who have a decisive influence on the development of anti-corruption practices, such as the General Prosecutor and members of the Constitutional

Court, who interpret anti-corruption norms and engage in lawmaking activities in this area. Appointments to these positions are an integral part of the presidential policy in forming legal and institutional conditions for combating corruption.

The President of Ukraine possesses the right to legislative initiative, which allows for the introduction of amendments and additions to anti-corruption legislation, as well as the proposal of new regulatory legal acts that govern anti-corruption activities at all levels of public administration. An important aspect of this process is the activity of the National Anti-Corruption Policy Council, which, under the President's authority, develops strategic initiatives, analyzes the effectiveness of existing legislation, and prepares scientifically substantiated proposals for improving the anti-corruption regulatory framework. The President is also responsible for coordinating the various executive bodies, providing methodological recommendations, and creating conditions for effective interaction among them in the fight against corruption. A systematic approach to developing and implementing anti-corruption programs and adapting them to the specific socio-economic conditions of the country is one of the priorities of the national anti-corruption strategy. Special significance is placed on international cooperation in this field, as the President contributes to the fulfillment of Ukraine's international anti-corruption obligations, particularly within international institutions such as the UN, the EU, and GRECO, which allows for the integration of international standards and practices into national anti-corruption legislation. Furthermore, the President initiates reforms in the governing bodies aimed at ensuring greater transparency, accountability, and professionalism. One of the directions of such reform is the personnel policy, which involves appointing qualified individuals to key positions in anti-corruption bodies, significantly increasing the effectiveness of their activities. In the event of corruption offenses or signs of corrupt schemes, the President has the authority to initiate investigations and facilitate the opening of criminal cases by involving the relevant law enforcement agencies. Additionally, the President actively promotes the development of an anti-corruption culture both among public servants and citizens, which is an essential element of strengthening civil society and the rule of law.

Another defining function is the initiation of legislative initiatives that ensure the accountability and transparency of public servants' financial transactions, as well as establishing strict sanctions for individuals who violate anti-corruption laws. Since anti-corruption policy is of an intersectoral nature, the President facilitates the independence of anti-corruption bodies, such as NABU and NACP, ensuring objectivity and impartiality in the fight against corruption. The integration of international standards into national anti-corruption policy is an important component of the President's work, enabling Ukraine to effectively cooperate with other countries in combating international corruption.

The local self-government bodies and executive authorities should also be considered as subjects that contribute to combating corruption. According to Article 38 of the Law of Ukraine "On Local Self-Government", the competence of executive bodies of local councils includes "assistance in the activities of NABU, the National Police, the Prosecutor's Office, and the judiciary" [6]. The phrase "assistance in activities" allows for its interpretation as the provision of informational and technical support for combating corruption, as well as prohibiting interference with the activities of the aforementioned entities. It is important to note that a similar regulatory provision also applies to executive authorities. Moreover, public authorities are subjects obligated to assess corruption risks and report on measures to reduce them. They are subject to coordination measures applied by the prosecutor to combat corruption. Thus, the subjects that contribute to combating corruption are all public authorities that, within their competence, encourage lawful activities, create favorable working conditions, raise the legal awareness of civil servants, and, therefore, prevent corrupt relationships.

One of the main subjects in the fight against corruption is the High Anti-Corruption Court. Its activities are regulated by the Law of Ukraine "On the High Anti-Corruption Court". Analyzing this legislative act, it can be concluded that the High Anti-Corruption Court has a special status and is focused exclusively on hearing cases in the first and appellate instances related to criminal offenses connected with corruption. One of the main issues in the functioning of this court is its actual separation from courts of general jurisdiction and the presence of only two instances, which violates the right to defense and a fair trial. At the same time, it is precisely due to the activities of this court that promptness in the consideration of criminal offenses and

the bringing of individuals to legal responsibility is achieved. The aim of introducing a separate specialized anti-corruption court is to hear criminal offenses by individuals who possess sufficient knowledge, experience, and competence, which should be ensured by appropriate levels of social and material support, as well as additional security guarantees, which have not yet been defined. Thus, the administrative and legal status of the High Anti-Corruption Court is still in the process of formation, despite its actual functioning. Further elaboration is needed regarding its powers, differences from other specialized courts, and cooperation with them, as well as the presence of additional guarantees for its activities. The High Anti-Corruption Court should become an effective instrument in combating corruption, confirming the inevitability of legal responsibility.

Other subjects of anti-corruption efforts include the courts of general jurisdiction and the Constitutional Court of Ukraine. The role of the Constitutional Court of Ukraine lies in interpreting anti-corruption legislation and analyzing its compliance with the Constitution of Ukraine. Regarding the courts of general jurisdiction, their contribution to combating corruption lies in the administration of justice and overcoming corruption within the courts themselves. The spread of corruption within the courts was one of the reasons for the creation of a separate High Anti-Corruption Court and the reduction of public trust. Accordingly, improving administrative and legal regulation and ensuring the functioning of courts of general jurisdiction is another measure in the fight against corruption [6].

Proper judicial procedures are the cornerstone for effectively combating corruption in Ukraine, as they ensure appropriate legal accountability for corrupt offenses and contribute to preventing their occurrence in the future. An essential element is guaranteeing the independence of judges, which creates the necessary conditions for making objective and fair decisions without external influence from political or economic forces. Only under conditions of genuine independence can the judicial system effectively perform its functions and ensure a fair trial in cases related to corruption. This requires the implementation of transparent procedures for the selection, appointment, and dismissal of judges, reducing the likelihood of political or economic pressure on judicial decisions.

Transparency in the judicial process is a key tool for ensuring justice, as open hearings allow the public, media, and civil society organizations to continuously monitor the progress of legal cases, helping to avoid potential manipulations and ensuring equality for all parties in the legal process. Public oversight of judicial activities also contributes to building trust in the judicial system and creates additional incentives for judges to work objectively and impartially. However, transparency alone is not sufficient for the effective functioning of the judicial process, as it is equally important to ensure timely and efficient consideration of cases. Delays, manipulation of deadlines, or a lack of clear practices for issuing judgments can undermine the principle of legal certainty, which challenges the effectiveness of anti-corruption efforts.

Real punishment for individuals who violate anti-corruption laws is a crucial aspect of the judicial system's role in combating corruption. The absence of effective sanctions or violations of procedural norms that guarantee the reality of punishment diminishes the effectiveness of any anti-corruption strategy. The judicial system must be capable of applying a broad range of sanctions, including asset confiscation, substantial fines, and imprisonment, which creates a real deterrent for those attempting to engage in corrupt schemes. Additionally, it is vital to ensure the effective operation of appellate and cassation courts, which allow for the avoidance of unjust decisions or judicial errors that may jeopardize the proper legal protection of all participants in the process.

The judicial system must ensure not only the correctness and fairness of verdicts but also contribute to the continuous improvement of its internal processes. This requires providing judges with the necessary knowledge, skills, and resources to handle complex corruption cases, as well as raising their professional level through continuous certification and training on ethics and anti-corruption practices. At the same time, the focus on the efficiency of judicial decisions should not diminish the importance of legal norms regarding the protection of the rights of accused individuals, as this is an inseparable part of fair justice. The creation of specialized anti-corruption courts allows for concentrating all resources on fighting corruption, which positively impacts the quality of judicial decisions and accelerates the case review process. To achieve this,

it is essential to ensure specialized training for judges, their safety when handling corruption cases, and the creation of corresponding mechanisms for prompt response to corruption offenses in all areas of state activity.

Therefore, effective anti-corruption efforts through the judiciary require not only high standards of justice and proper procedures but also a comprehensive strategy that includes collaboration with other state bodies, the enhancement of judges' professionalism, and ensuring transparency in legal processes. This process requires continuous improvement of mechanisms and technologies for combating corruption, as well as the establishment of legal guarantees that prevent abuse and ensure fairness in each specific case.

Conclusions. Corruption is a powerful trigger for Ukrainians, as it embodies both the moral and ethical dimensions of ensuring justice and the root cause of insufficiently high living standards. Currently, trust in institutions responsible for justice, such as courts, prosecutors' offices, and anti-corruption agencies, remains low, making it critically important to implement necessary transformations. Before and after the Revolution of Dignity, large-scale sociological surveys on corruption revealed that the objective involvement of the population in corrupt practices decreased. However, in terms of subjective perception, citizens believed that corruption had increased, and this perception had a significant political impact. Today, the fight against corruption is not merely a matter of justice and a decent life but a matter of Ukraine's survival. Western partners may limit their support for Ukraine under the pretext of corruption, which could also lower motivation for volunteer work and national defense. The fight against corruption involves the government, media, civil society, and ordinary citizens, requiring a lengthy process spanning years. The government, for its part, must recognize the importance of a systemic fight against corruption, demonstrate transparency in decision-making, and effectively interact and communicate with the media and the public. Media and civil society, in turn, must acknowledge the importance of balanced reporting on the issue. The Verkhovna Rada of Ukraine plays a crucial role in the fight against corruption by adopting legislation that ensures transparency in government activities and establishes strict mechanisms for oversight and accountability. The Cabinet of Ministers of Ukraine is responsible for implementing these laws, advancing reforms, and creating conditions for the effective functioning of anti-corruption bodies. The judicial system must become independent and accountable only to the law, ensuring fair rulings in corruption cases. The President of Ukraine, as the guarantor of the Constitution, is obligated to uphold the rule of law and coordinate anti-corruption efforts across all branches of government. The President must also demonstrate personal intolerance toward corruption and initiate strategic decisions to combat it. The Verkhovna Rada should carry out parliamentary oversight of the government's actions, ensuring transparency in the use of state resources. The Cabinet of Ministers must take responsibility for transparency in public procurement, one of the most corruption-prone areas. The judiciary should adopt modern technologies for tracking and reviewing corruption cases, which would reduce the influence of the human factor. The President, as the diplomatic representative of the state, must continue to engage international partners in supporting anti-corruption initiatives. Another critical task for the Cabinet of Ministers is to reform the public administration system to reduce bureaucratic barriers that facilitate corruption. The Verkhovna Rada, in turn, must create conditions for the accountability of all officials, including through improving the electronic declaration system. All of these measures will help establish a unified strategic approach to combating corruption, based on the coordinated efforts of all institutions.

СПИСОК ВИКОРИСТАНИХ ДЖЕРЕЛ

1. Про перелік, кількісний склад і предмети відання комітетів Верховної Ради України дев'ятого скликання: Постанова Верховної Ради України від 29.08.2019 № 19-IX. *База даних "Законодавство України" / ВР України*. Голос України. 2019. № 165.
2. Доценко О. С. (2019). Верховна Рада України як суб'єкт протидії організований злочинності в Україні. *Вісник НТУУ "КПІ". Політологія. Соціологія. Право*, № 3 (43). С. 232–236.
3. Про Кабінет Міністрів України: Закон України від 27.02.2014 № 794-VII. *База даних "Законодавство України" / ВР України*. 2014. № 13. С. 828.

4. Конституція України: Закон України від 28.06.1996 р. № 254к/96-ВР. База даних “Законодавство України” / ВР України. 1996 р. № 30. Ст. 141.
5. Про Національну раду з питань антикорупційної політики: Указ Президента України від 14.10.2014 № 808/2014. База даних “Законодавство України” / ВР України. 2014. № 84. С. 7.
6. Про місцеве самоврядування в Україні: Закон України від 21.05.1997 № 280/97-ВР. База даних “Законодавство України” / ВР України. 1997. № 24. С. 170.

REFERENCES

1. *Pro perevik, kil'kisnyi sklad i predmety vidannia komitetiv Verkhovnoi Rady Ukrainy dev'iat'oho sklykannia* [On the list, quantitative composition and jurisdiction of the committees of the Verkhovna Rada of Ukraine of the ninth convocation]: Postanova Verkhovnoi Rady Ukrainy vid 29.08.2019 No. 19-IX. *Baza danykh "Zakonodavstvo Ukrainy" / VR Ukrainy*. Holos Ukrainy. 2019. No. 165. [In Ukrainian].
2. Dotsenko, O. S. (2019). *Verkhovna Rada Ukrainy yak sub'iekt protyidii orhanizovanii zlochynnosti v Ukraini* [The Verkhovna Rada of Ukraine as a subject of combating organized crime in Ukraine]. *Visnyk NTUU "KPI". Politolohiia. Sotsiolohiia. Pravo*, 3 (43). P. 232–236. [In Ukrainian].
3. *Pro Kabinet Ministriv Ukrainy* [On the Cabinet of Ministers of Ukraine]: Zakon Ukrainy vid 27.02.2014. No. 794-VII. *Baza danykh "Zakonodavstvo Ukrainy" / VR Ukrainy*. No. 13. 828 p. [In Ukrainian].
4. *Konstytutsiia Ukrainy* [Constitution of Ukraine]: Zakon Ukrainy vid 28.06.1996 r. No. 254k/96-VR. *Baza danykh "Zakonodavstvo Ukrainy" / VR Ukrainy*. 30. Art. 141. [In Ukrainian].
5. *Pro Natsional'nu radu z pytan' antykoruptsiinoi polityky* [On the National Anti-Corruption Policy Council]: Ukaz Prezydenta Ukrainy vid 14.10.2014 No. 808/2014., *Baza danykh "Zakonodavstvo Ukrainy" / VR Ukrainy*. No. 84. 7 p. [In Ukrainian].
6. *Pro mistseve samovriaduvannia v Ukraini* [On local self-government in Ukraine]: Zakon Ukrainy vid 21.05.1997 No. 280/97-VR. *Baza danykh "Zakonodavstvo Ukrainy" / VR Ukrainy*. No. 24. 170 p. [In Ukrainian].

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ФУНКЦІОНАЛЬНІ ОСОБЛИВОСТІ ДІЯЛЬНОСТІ ОСНОВНИХ ІНСТИТУТІВ ДЕРЖАВНОЇ ВЛАДИ УКРАЇНИ У ПРОТИДІЇ КОРУПЦІЇ

Актуальність статті полягає в тому, що одним із ключових завдань держави є забезпечення захисту прав та інтересів громадян, які можуть бути порушені внаслідок корупційної діяльності. Протидія корупції є не лише вимогою суспільства, а й важливою передумовою для стабільного функціонування державних інститутів, особливо у період дії правового режиму воєнного стану в Україні, який впливає на діяльність органів влади, у тому числі їхню спроможність ефективно протидіяти корупційним проявам. Вивчення функціональних особливостей діяльності законодавчої, виконавчої, судової гілок влади та Президента України у цьому контексті є критично важливим для забезпечення суспільної довіри та збереження інституційної спроможності держави. Аналіз адміністративно-правового статусу цих суб'єктів сприятиме вдосконаленню їхньої співпраці з громадськістю, що своєю чергою зміцнить довіру населення та стимулюватиме звернення по захист прав до відповідних інституцій. Особливого значення ця проблематика набуває в умовах війни, коли доступність державних послуг ускладнюється, а корупція може стати одним із факторів, що послаблюють обороноздатність країни та ефективність розподілу ресурсів. Водночас вплив позаправових факторів, таких як економічна нестабільність, політичний тиск та обмеженість фінансових ресурсів, посилює ризики поширення корупційних схем. В умовах воєнного стану

ефективність діяльності інститутів влади значною мірою залежить від їхньої здатності оперативно реагувати на виклики, зберігаючи високий рівень прозорості та підзвітності. Правовий статус кожного із суб'єктів було розглянуто у контексті їхньої ролі у системі антикорупційної діяльності, зокрема в умовах правового режиму воєнного стану. Встановлено, що діяльність інститутів державної влади проводиться як на загальнодержавному, так і на регіональному та місцевому рівнях, що допомагає формувати збалансовану антикорупційну політику з урахуванням конкретних регіональних особливостей.

Водночас проведене дослідження свідчить про низький рівень взаємодії між різними гілками влади та президентом у питаннях протидії корупції. Це знижує загальну ефективність антикорупційної політики, спричиняючи дублювання повноважень у сферах формування політики та проведення розслідувань. Виявлено, що у контексті воєнного стану проблематика координації стає ще актуальнішою через потребу у швидкому прийнятті рішень та розподілі обмежених ресурсів. Брак ефективних механізмів заохочення до спільної діяльності між інститутами влади створює додаткові перешкоди у досягненні поставлених цілей. У висновках наголошено, що розв'язання зазначених проблем можливе лише через підвищення рівня координації між інститутами влади, вдосконалення їхніх функціональних обов'язків та створення механізмів заохочення до співпраці. Також підкреслено потребу адаптації антикорупційних заходів до умов воєнного стану, що дасть змогу зберегти ефективність інституцій навіть в умовах значного зовнішнього та внутрішнього тиску.

У 2025 році боротьба з корупцією залишається пріоритетним завданням для всіх органів державної влади України, оскільки високий рівень корупції підриває довіру громадян до інституцій та стримує економічний розвиток. Ефективна координація між державними установами сприяє усуненню дублювання функцій, підвищенню прозорості ухвалення рішень і мінімізації ризиків корупційних зловживань. Недостатня взаємодія між правоохоронними органами, антикорупційними відомствами та судовою гілкою влади може призвести до безкарності корупціонерів і зниження ефективності впровадження реформ. В умовах посилення цифровізації державного управління скоординовані антикорупційні заходи дають змогу впроваджувати сучасні технології моніторингу, запобігаючи махінаціям та неефективному використанню бюджетних коштів.

Корупція є значною перешкодою для отримання міжнародної фінансової допомоги, тому скоординовані зусилля органів влади допоможуть забезпечити дотримання антикорупційних зобов'язань перед міжнародними партнерами. Зміцнення міжвідомчої взаємодії дасть змогу ефективніше розслідувати корупційні злочини, притягати винних до відповідальності та підвищувати рівень невідворотності покарання. Координація дій між органами влади сприятиме реалізації національної антикорупційної стратегії, що є неодмінною умовою для сталого розвитку країни. Взаємодія державних органів дасть змогу створити ефективну систему запобігання конфлікту інтересів серед посадовців, що зменшить корупційні ризики.

Узгоджена діяльність державних інституцій сприятиме вдосконаленню механізмів громадського контролю, що своєю чергою зміцнить підзвітність влади перед суспільством. Антикорупційна політика, що базується на спільних діях державних органів, забезпечить ефективніше використання державних ресурсів і підвищить рівень економічної безпеки країни. Брак належної координації між державними структурами може призвести до низької ефективності антикорупційних розслідувань та зменшення кількості реальних вироків у корупційних справах. Для підвищення ефективності державного управління потрібно запровадити єдину антикорупційну інформаційну систему, яка дасть змогу обмінюватися даними між органами влади та своєчасно реагувати на корупційні загрози.

Скоординована діяльність органів влади сприятиме зменшенню рівня корупції у сфері публічних закупівель, що є одним із ключових джерел нецільового використання бюджетних коштів. Посилення міжвідомчої взаємодії дасть можливість ефективніше боротися з корупцією на регіональному рівні, забезпечуючи рівний доступ громадян до адміністративних послуг. Спільні дії органів державної влади у сфері антикорупційної політики сприятимуть формуванню культури доброчесності серед державних службовців і зменшенню толерантності суспільства до корупції.

Ключові слова: Верховна Рада України, Кабінет Міністрів України, суд, суддя, судоустрій, антикорупційний суд, функціональні особливості, інститути державної влади, законодавча влада, виконавча влада, судова влада, Президент України, корупція, протидія корупції, адміністративно-правовий статус, антикорупційна політика, державне управління, правовий режим, воєнний стан, державна служба, публічне адміністрування, взаємодія гілок влади.