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APPLYING FOUR-EYES PRINCIPLE TO UKRAINIAN LEGISLATION

Corruption and its preventive measures have always been the most sharply and seriously discussed issues when it goes about legislative norms. For many decades all the countries have been struggling with bribery creating different laws, rules and acts that could help withstand the corruption in various spheres. Corruption is a phenomenon presented in any area, whether it is financial or industrial, we have it and need to confront this problem.

Nowadays Ukraine constantly faces the corruptive cases, especially at governmental and legislative level. Various anti-corruption organizations are formed along with anti-corruptive programs being created. Ukrainian anti-corruption policy is directed to decrease the level of bribing inside the government and step by step root it out. However, the system is not flawless.

The present legislative units and government representatives tend to tell that Ukraine has almost no bribery at the world sessions and conferences trying to preserve the reputation of the country. Nevertheless, there is a lack of legislative acts directed to root the corruption out. In this work a four-eyes principle is proposed to be implemented into Ukrainian legislation system being an effective measure on the basis of several western European countries.

The four-eye principle has been applied in several European countries for many years. Among them there are Germany, Switzerland and Austria which have increased their indicators in anti-corruptive aspect. This principle has shown to be an effective measure that can prevent bribery starting from governmental area and finishing with some management or medical one.

What is the initial target of this principle? Four-eyes was initiated in Germany as an approach to come up against corruption and means making serious and important decisions, agreeing documents and signing laws not single-handedly, but at presence of several representatives as witnesses to prevent bribery. It is extremely fair if signing of a very important proposed amendment or draft law is made by mutual agreement of several authorized representatives but not solely. The four-eye principle includes:

- double control of decision-making;
- mutual control of those who sign documents and make important decisions;
- crosschecking;
- independent outcome;
- evenhandedness and impartiality;

- exclusion of misappropriation;
- avoidance of malfeasance.

The above describes principle has shown its positive results in such spheres as management, banking, investment, medicine and armed forces in various western countries. It is worth to introduce this principle into legislative area of a country. In particular, Ukraine can adopt the best practices of foreign colleagues and implement it to legislation. Making life-changing and momentous decisions at legislative level should be weighed and made not only by one person who can be extremely corrupted and chases only his or her goals, but by several representatives who will arrive at mutual agreement and sign the best and most appropriate version of this or that document.

The four-eyes principle will help Ukraine:

- to maintain control over performing fair decisions and legislative acts;
- to share responsibility for making the fateful decision of the whole country;
- to prevent corruptive chains and relationships;
- to stimulate representatives in weighing their decisions and think over before signing important documents;
- to avoid mistakes in decision-making.

Thus, this approach not only guarantees the effectiveness of processes by entitling fast and just decision-making while ensuring effective control and monitoring, but also decrease the level of corruption inside the country at legislative level. This can be one of the steps on the way of rooting out bribery in our country.

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КОРУПЦІЯ ЯК ЗАГРОЗА СТАБІЛЬНОСТІ ДЕМОКРАТИЧНИХ ІНСТИТУТІВ СУСПІЛЬСТВА

З прийняттям Конституції – Основного закону України, наша держава офіційно закріпила свій статус як суверенної, незалежної, демократичної, соціальної, правової держава. Тим самим визнала, що головним обов'язком держави є утвердження і забезпечення прав і свобод людини.

На сьогодні пріоритетним напрямом державної правової політики в сучасній державі є реформування системи запобігання і протидії корупції. Досягнення успіху у цьому процесі є передумовою для формування у суспільстві довіри до влади, зростання економічного потенціалу держави, покращення добробуту громадян України.