Social determinants of corruption and legal methods of counteracting it in the modern conditions

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Abstract. Corruption is a global problem undermining social, economic, and political stability in many countries of the world. Kazakhstan, as a rapidly developing country, realises the harmful role of corruption in society and is taking significant steps to combat this problem. The purpose of the study is to investigate the procedures used to look into and prosecute cases of corruption. To achieve the objectives of the article the following methods were used: analysis of legislation, dogmatic method, methods of interpretation and comparison, statistical data method. Legislative documents, reports and other sources related to corruption and its counteraction in Kazakhstan were considered; study of the work of anti-corruption institutions: analytical work was carried out to study the role and activities of anti-corruption institutions in Kazakhstan and identified the key social determinants of corruption in the country. The article highlighted the main legislative acts adopted by Kazakhstan to combat corruption, and their impact on the public and legal space. It can be concluded that the adopted legislative acts and the activities of anti-corruption institutions have a positive impact on the fight against corruption and increased transparency in the country. It is concluded that in order to update the legislation and introduce new norms, the legislator should conduct a thorough study of the social determinants of

corruption. Thus, the practical significance of this study is that its theoretical conclusions can be used by government agencies to improve the fight against corruption in Kazakhstan

Introduction

This topic in modern conditions is of great importance to ensure an effective fight against corruption, to protect the rule of law and to create a just society. The study in modern conditions is necessary for several reasons. First of all, strengthening law enforcement: corruption often involves complex schemes and networks that require specialised knowledge and investigative techniques to uncover. The study of this topic helps law enforcement agencies and the judiciary to develop the necessary skills and knowledge to effectively investigate and prosecute corruption cases. Gaining knowledge about the connection between corporate social responsibility and local corruption might help one comprehend the dynamics of corruption more broadly (Ucar & Staer, 2020). Understanding the complex effects of corruption on income inequality, particularly in various political and economic circumstances, is critical for creating effective anti-corruption policies (Keneck-Massil *et al.*, 2021). Secondly, promoting accountability and transparency: understanding the criminal law aspects of anti-corruption contributes to a culture of accountability and transparency. It helps establish mechanisms to hold public officials, individuals, and organisations accountable for their actions, thereby promoting good governance and preventing the abuse of power. Enhancing the state of the economy, healthcare, and education can all help to lessen corruption, underscoring the necessity of structural adjustments to help anti-corruption initiatives (Remeikienė *et al.*, 2020). Thus, the study of this topic is critical to the development of effective policies, laws, and institutions to combat corruption, ensure accountability, protect public resources, and promote good governance. The problem of the study lies in the shortcomings in the effectiveness of the existing criminal law frameworks and measures to counter corruption in the contemporary context, which is why the study is needed.

As noted by A.B. Aituarova and A.A. Kushkimbayev (2021), there is no practical view on the possibility of implementation of international legal instruments, their provisions are incorporated into national legislation. International legal cooperation of countries in the fight against corruption, an established system with its routine and institutional mechanisms, should be studied. In addition, it is new for science to analyse the elements of the system and identify specific forms of international cooperation against corruption. For this purpose, on 26 December 2014, the Decree of the President of the Republic of Kazakhstan No. 986 "On the Anti-Corruption Strategy of the Republic of Kazakhstan for 2015-2025" (2014) was approved. The goal of the strategy is to increase the effectiveness of the country's anti-corruption policy, to involve the entire society in the anti-corruption campaign, and to reduce the level of corruption in Kazakhstan by creating an atmosphere of "zero" tolerance for any form of corruption.

As R.T. Nurtaev (2020) points out, the relevance of the fight against corruption in all its manifestations at all levels has not diminished. The authorities encourage the adoption of national plans, strategies, and other documents, to adopt legislation, and to give the authorities the necessary powers. Thus, it can be seen that the powers of the prosecutor are quite broad and allow to systematically confront corruption: two forms of participation in the case, by checking the legality of court decisions, initiating the transfer of the property of guilty employees to the state. According to E.V. Mitskaya (2023), it is imperative to forbid the exemption from criminal obligation based on the statute of limitations' expiration. This is an illustration of the developing practice of enforcing the criminal law's standards to improve the fight against corruption. This kind of ban would accurately represent the entire scope of the penal code. Currently, criminals have the ability to exit the nation and continue to profit from unjust enrichment, potentially evading justice due to the 2018 removal of restrictions in the Criminal Code. Regrettably, this change renders the national anti-corruption plan incompatible with its goals.

D.N. Sadvakasova and G.R. Sartayeva (2020) argue that the growth of criminal offences related to public procurement is due to the freedom of entrepreneurship, the development of financial and stock markets and the changing role of the state in the regulation of economic relations. These and other factors require not only a systematic improvement of the regulatory and legal approach to the participants of economic activity but also modern criminal-legal measures to protect the interests of society and the state. Additionally, it is crucial to consider the broader context of international cooperation in combating organised crime, as highlighted in the Article by I. Dziublenko and N. Zhabinets (2024). As of 2024, organised crime continues to impede sustainable development, demanding strong international collaboration systems. The authors conducted an investigation of international cooperation methods in countries such as the United States, Ukraine, Japan, Australia, and Cameroon, providing valuable insights into the factors that promote or impede the success of these efforts. The findings emphasise the importance of a coordinated approach, including public agencies and governments, in developing new or adapting existing legislation and methods to successfully tackle organised crime. This greater understanding of the role of international collaboration in combating organised crime supports Kazakhstan's anti-corruption initiatives, emphasising the global interconnection of these concerns.

According to J. Wachs *et al.* (2019), combatting corruption requires addressing the structural aspects of social capital. The authors' research shows that settlements with fragmented social networks, indicating high bonding social capital, experience higher corruption risks, whereas those with diverse external connections, indicating bridging social capital, face reduced corruption risks. These findings imply that anti-corruption measures should include not only legislative and administrative reforms, but also the development of social institutions that promote transparency and impartiality. As a result, developing policies that promote social variety and connectedness within communities could be an important step towards eliminating corruption and enhancing government.

Thus, the research aims to analyse and summarise anti-corruption measures, as well as to identify imperfections

in the legislation and opportunities for its improvement for a more effective fight against corruption in Kazakhstan. The legal framework has also been analysed, including mechanisms and strategies for countering corruption in modern society in Kazakhstan.

Materials and methods

Comparative method. Different legal frameworks and strategies in combating the phenomenon of corruption are examined. Several countries and jurisdictions were studied to identify commonalities, differences, similarities, and best practices in the fight against corruption and to identify best practices that can be used for policy recommendations. Similarities, differences, strengths, and weaknesses were also examined to identify best practices and to make recommendations for improving the criminal justice response to corruption. Dogmatic approach was used to analyse and interpret legal concepts, principles, and norms concerning anti-corruption measures. It entailed a rigorous assessment of the legal doctrines and ideas that underpin anti-corruption legislation, with an emphasis on the logical structure and internal coherence of legal norms. This method aided in comprehending the theoretical underpinnings of anti-corruption measures as well as their practical implications within Kazakhstan's legal framework.

Legal method. It involved a systematic study of existing legislation, court decisions and the legal framework. Legal provisions were analysed, their effectiveness was assessed, gaps were identified, and legal reforms or improvements were proposed (Law of the Republic of Kazakhstan No. 410-V, 2015; Law of the Republic of Kazakhstan No. 416-V, 2015; Law of the Republic of Kazakhstan No. 191-IV, 2009). This analysis helped to assess the adequacy and coherence of the legal framework and provided insight into legal challenges and opportunities to combat corruption. This included examining programme documents, assessing their implementation, and looking at the socio-political context in which they operate. Anti-corruption policies and measures taken by governments, international organisations or anti-corruption agencies were analysed. Policy documents, their implementation, and their impact on the fight against corruption were assessed. Policy analysis helped to identify strengths, weaknesses, and areas for improvement of anti-corruption policies and their compliance with the criminal legal framework. The method also provided insight into definitions of corruption, penalties, investigative procedures, and other legal aspects relevant to the fight against corruption.

To investigate the social determinants of corruption in Kazakhstan, this study focused on two key indicators: well-being, measured by GDP per capita, and trust in authorities. The indicator of well-being was chosen to examine the potential relationship between a country's economic development and the prevalence of corruption, as higher levels of economic well-being may be associated with stronger institutions, better governance, and lower levels of corruption. Trust in authorities was selected to analyse the relationship between public trust in government institutions and the perceived level of corruption, as low trust in authorities could contribute to an environment conducive to corrupt practices.

Statistical data method was used to analyse quantitative data related to corruption, such as bribery rates, conviction rates or financial data, convictions, or other relevant indicators. The statistical method was employed to identify trends, patterns, and correlations, providing evidence-based information on the effectiveness of anti-corruption efforts to combat corruption. Researchers often analysed statistical data related to corruption cases, including the number of reported cases and sentencing outcomes (Bocharova, 2022). The analyses were also used to elucidate financial data such as asset confiscation, money laundering patterns and financial transactions related to corruption. The statistical and financial analyses provided insight into trends, patterns, and the effectiveness of legal measures. The methodology employed to determine the connection between well-being (GDP per capita), trust in authorities, and corruption involved the analysis of existing economic data and statistical analysis. The data for Kazakhstan were obtained from Our World in Data sources (Human rights index…, 2022; Civil liberties index, 2023; Electoral democracy index, 2023). Transparency International's corruption perceptions index (Global Corruption Barometer, 2017) was consulted to assess the perceived levels of corruption in various countries, informing the comparative analysis of anti-corruption strategies.

Economic analysis was used to determine the economic consequences of corruption and to measure its impact on economic growth, investment, competition, and development (Global Corruption Barometer, 2017). It was also used to investigate mechanisms and tools that promote transparency, resource efficiency and the prevention of economic abuse. Interdisciplinary approach: it allowed for a more complete and comprehensive understanding of the problem of corruption and the development of comprehensive recommendations and approaches to combat it.

Results

A regulatory framework of anti-corruption measures has been established in the country, but practice shows that the existing measures do not always effectively address the problem of corruption. Therefore, the fight against corruption in any sphere requires resources – certain knowledge and skills, adequate funding, technical support, comprehensive investigation, and control by national and international monitoring organisations. corruption and the shadow economy are interrelated and complementary concepts. The shadow economy breeds corruption, and the social economy creates fertile ground for the shadow economy. The shadow economy has formed corrupt relations in various spheres of politics and economy, which is the basis for its prosperity (Alimov & Isroilov, 2020). Corruption is one of the negative phenomena that hinders the progress and development of modern countries. Corruption today is a widespread problem and affects all spheres of public life. At the same time, the essence of corruption is not in bribery or corruption of persons in the public sector, but in the disintegration of specific social systems, including the system of state power.

Over the period from 2015 to 2023, the Republic of Kazakhstan has created a regulatory framework of anti-corruption measures aimed at ratification of several international treaties, as well as numerous legal acts. Practice has shown that these anti-corruption measures are not consistent with the manifestations of corruption, above all, the measures are imperfect and cannot fully solve the problem of combating corruption. The theoretical foundations and logical framework of these anti-corruption laws were examined using the dogmatic method, which showed that they are consistent with the larger legal doctrines and principles of Kazakhstan's

legal system. The Republic of Kazakhstan has adopted numerous legal acts and ratified international treaties aimed at combating corruption: Law of the Republic of Kazakhstan No. 410-V "On Combating Corruption" (2015), Law of the Republic of Kazakhstan No. 416-V "On the Civil Service of the Republic of Kazakhstan" (2015), Law of the Republic of Kazakhstan No. 191-IV "On Combating the Legalisation (Laundering) of Proceeds of Crime, Laundering of Proceeds of Crime and Financing of Terrorism" (2008). It should be noted that these are only some of the most important documents related to the fight against corruption in the Republic of Kazakhstan. These laws define corruption offences, establish penalties, and provide a legal basis for the investigation and prosecution of corruption offences. The Anti-Corruption Agency (ACA) of Kazakhstan is responsible for preventing and combating corruption. The ACA investigates cases of corruption, coordinates anti-corruption efforts, and develops policies and programmes to prevent corruption. Kazakhstan has established specialised anti-corruption courts to hear corruption cases. These courts have jurisdiction over corruption offences and are responsible for conducting fair and impartial trials.

Developing and improving legislation, building an anti-corruption culture and an effective civil service are important steps in the fight against corruption. In addition, strengthening the role of parliament and increasing accountability to citizens are considered significant aspects. The adoption of new legal and regulatory acts implies the need to streamline the whole range of newly introduced and existing measures, including those aimed at optimising the work of the state apparatus, creating an efficient civil service and, through the formation of an anti-corruption culture, establishing a unified modern civil society without corruption. According to statistics, in 2019, the personal data of 11 million Kazakhstanis leaked from the servers of the Central Election Commission. In 2020, specialists from the Centre for Analysis and Investigation of Cyberattacks (CARCA) discovered data leaks from the Prosecutor General's Office and the Health Care Quality Control System. That same year, a team of white-hat hackers scanned 91 government web resources for vulnerabilities. CARCA plays an important role in detecting data leaks. Its experts have detected leaks from various government agencies, indicating their activity and importance for cyber security in the country. Thus, the public service of the Republic of Kazakhstan continues to improve even today. As foreign experience shows, this process should be constant and continuous. It is fundamentally important to fundamentally change approaches to working with the public, non-governmental organisations, initiative groups and individual citizens. It should not be forgotten that all this is done, first of all, to improve the efficiency of the work of state bodies (Bocharova, 2022).

From the analysis of the current situation, development trends and achievements in public administration and the rule of law contained in the National Development Plan of the Republic of Kazakhstan until 2025 (Decree of the President…, 2018), the following points can be noted: constitutional reforms in 2017 aimed at a rational redistribution of powers between the main branches of government; significantly strengthen the role of the Kazakh parliament and its control over the government; serious efforts to form a "compact government" and increase accountability to citizens. At the same time, the transfer of some state functions and services to lower levels and competitive environments is recognised as expedient; the principle of progressive meritocracy is being widely introduced in the process of reforming the civil service, and measures are being taken to improve the effectiveness of the current system for assessing the effectiveness of the civil service (Blishchuk, 2023).

An important point in the fight against corruption is to shift the focus to the social sphere, including education and the formation of ethical behaviour. The moral qualities of civil servants and their efficiency influence public administration. In the process of developing anti-corruption measures, the leadership of the Republic decided to shift the focus of the fight against corruption to the social sphere. To include standards for the formation of personal ethical behaviour, legal culture, and professional ethics in the educational programmes of profile educational institutions, and to introduce ethical behaviour of managers and subordinates. A special role is played by the formation of the moral image of civil servants, for which purpose the norms of administrative behaviour, the so-called code of ethics, are formulated (Abdrasulov *et al.*, 2023). The effectiveness of public administration is closely tied to the moral qualities exhibited by civil servants, including critical and objective assessment of corruption-related information, acknowledgment of corruption as a societal issue, clear comprehension of the anti-corruption agenda, seizing every opportunity to mitigate corruption in specific spheres of life and activity, and purposeful motivation for anti-corruption actions aligned with societal moral and legal norms.

The sociological analysis of the determinants of corruption in Kazakhstan reveals critical insights into the relationship between various social, economic, and political factors and the prevalence of corrupt practices. Key indexes such as the Civil liberties index (2023), Electoral democracy index (2023), Human rights index vs. GDP per capita, Kazakhstan (2022) were examined to identify their correlation with corruption levels in Kazakhstan.

The human rights index measures the extent to which citizens enjoy physical integrity rights and civil liberties, with higher scores indicating more rights. In the context of Kazakhstan, the analysis shows that despite a moderate GDP per capita, the country scores relatively low on the human rights index. This suggests that economic development alone does not suffice to ensure the protection of human rights. The Human rights index vs. GDP per capita, Kazakhstan (2022) illustrates this relationship, where Kazakhstan is positioned among countries with a similar GDP per capita but lower human rights scores. The correlation between GDP per capita and the human rights index indicates that countries with higher economic well-being tend to have stronger institutions and better governance, which can contribute to lower corruption levels. However, Kazakhstan's position suggests that other factors, such as political and institutional integrity, play a significant role in combating corruption.

The electoral democracy index reflects the extent to which political leaders are elected under comprehensive voting rights in free and fair elections, including freedoms of association and expression. Kazakhstan's historical trend on this index (Fig. 1) shows fluctuations, with notable declines during certain periods. The current low score indicates limited democratic practices, which can create an environment conducive to corruption. A low electoral democracy index

score suggests that the lack of transparent and accountable electoral processes undermines public trust in authorities. This distrust can lead to increased corruption as citizens perceive government institutions as self-serving and unaccountable. The civil liberties index measures the extent of civil liberties enjoyed by citizens, with higher scores indicating more liberties. Kazakhstan's declining trend on this index over the years (Fig. 1) underscores the erosion of civil liberties in the country. The declining civil liberties correlate with increased corruption, as restrictions on freedom of speech, assembly, and press limit the ability of civil society to hold government officials accountable. When citizens cannot freely express their concerns or protest against corrupt practices, corruption flourishes unchecked.
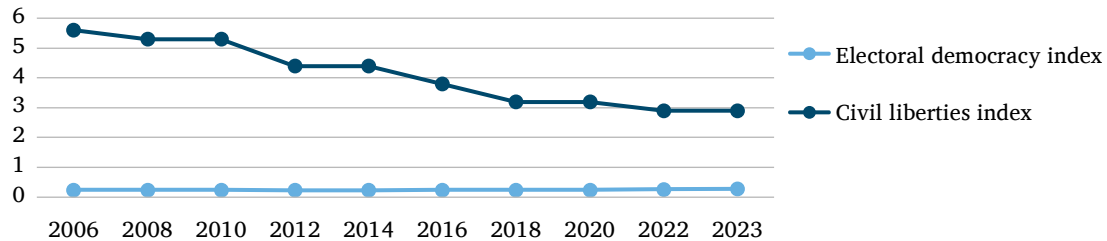

Figure 1. Combined trends in civil liberties and electoral democracy indices for Kazakhstan, 2006-2023
Source: made by the authors based on Civil liberties index (2023), Electoral democracy index (2023)

The analysis reveals that low scores on the human rights index, electoral democracy index, and civil liberties index are significantly correlated with higher levels of corruption in Kazakhstan. The lack of political freedoms, civil liberties, and effective democratic processes creates an environment where corruption can thrive. Trust in authorities is undermined by these deficiencies, leading to public cynicism and the acceptance of corrupt practices as the norm. Therefore, in addition to economic development, efforts to combat corruption in Kazakhstan must also prioritise bolstering democratic institutions, defending civil liberties, and upholding human rights. To effectively minimise corruption, comprehensive reforms that improve accountability, openness, and public participation in governance are needed.

In conclusion, the sociological determinants of corruption in Kazakhstan highlight the complex interplay between economic, political, and social factors. While economic well-being is important, it is the integrity of democratic institutions and the protection of civil liberties that play a crucial role in combating corruption. The analysis underscores the need for a holistic approach to anti-corruption strategies that addresses these underlying determinants.

The components of bribery in this study are examined through the prism of law enforcement in investigative and judicial practice. Furthermore, it is impossible to properly characterise an identified criminal act without distinguishing between what constitutes the criminal act itself and other related criminal acts. Proper characterisation precludes the unjust conviction of persons whose behaviour does not constitute a public danger and is not unlawful and creates the legal prerequisites for the punishment of true criminals. The legal consequences of eligibility are manifold. First of all, they are penalties or other measures of influence provided for by the current legislation under which a particular offence is qualified. Since the criminal law dictates the most effective measures against the relevant category of offences, an error in qualification may weaken the effectiveness of the fight. Kazakhstan has recognised corruption as a serious problem and has taken various measures to combat it.

Kazakhstan cooperates with international organisations, such as the United Nations Office on Drugs and Crime (UNODC) and the Organisation for Economic Co-operation and Development (OECD), to strengthen its anti-corruption efforts. This cooperation includes the exchange of information, experience, and best practices in the fight against corruption. Kazakhstan has introduced measures to protect whistle-blowers who report corruption. The law provides guarantees to persons who disclose corruption-related information and prohibits reprisals against whistle-blowers. Kazakhstan has introduced asset recovery mechanisms to seize and recover proceeds of corruption. These measures are aimed at confiscating assets derived from corruption and returning them to the state (Ferguson, 2018).

The reasons for the current situation in the field of anti-corruption measures include insufficient scientific study of the problem, insufficient understanding of the essence and peculiarities of additional punishment, shortcomings in the imposition of additional punishment, as well as objective and subjective obstacles to its enforcement. To study the root causes of corruption offences and find ways to combat corruption, it is necessary to radically change the traditional methodological system that has been used so far. The high ability of corruption to adapt to the changing external environment and the modernisation of internal mechanisms of governance lead to a rapid loss of relevance of previously developed measures to combat crime. Approaches to combating corruption must be very dynamic, constantly reviewed and modernised as how corruption is committed change. It is advisable not to look for the root causes of corruption in isolation from general crime trends at the global, national, regional, or sectoral levels (agriculture, industry, business, banking).

In modern conditions, eradicating corruption by fighting corruption is an almost impossible task. This is not the idea of complete eradication of corruption, but the idea of containment and control of corruption so that its level does not exceed a critical mass and does not interfere with the gradual development of an anti-corruption state. The key laws in Kazakhstan relevant to combating corruption and promoting transparency have incorporated various measures to address social determinants, though there are areas for improvement.

Law of the Republic of Kazakhstan No. 191-IV "On Combating the Legalisation (Laundering) of Proceeds of Crime, Laundering of Proceeds of Crime and Financing of Terrorism" (2009) addresses the financial aspects of crime and

terrorism financing, focusing on financial transparency and accountability. Article 6 emphasises the system of measures for financial control, which is vital for ensuring that economic resources do not fuel corruption or terrorism. While the law focuses on financial mechanisms, it indirectly impacts social determinants by promoting transparency and accountability in financial transactions, which are essential for a fair economic environment and reducing corruption.

Law No. 410-V "On Combating Corruption" (2015) specifically targets corruption through various measures such as anti-corruption monitoring (Article 7), analysis of corruption risks (Article 8), and formation of an anti-corruption culture (Article 9). These measures are critical in addressing the broader socio-economic and political factors that contribute to corruption. For example, Article 4 outlines the basic principles of combating corruption, including transparency and public engagement, which are crucial for improving civil liberties and democratic processes. Articles 16 and 17 focus on measures to combat corruption in entrepreneurship and the national anti-corruption report, respectively, emphasising the need for systemic reforms to address corruption comprehensively.

Law of the Republic of Kazakhstan No. 416-V "On the Civil Service of the Republic of Kazakhstan" (2015) outlines the framework for civil service, promoting integrity and professionalism among public officials. Article 3 establishes the principles of civil service, including meritocracy and transparency, which are essential for reducing corruption by ensuring that civil service positions are filled based on qualifications rather than nepotism or bribery. This law also emphasises the importance of protecting civil servants' rights and ensuring a fair working environment, which correlates with higher scores on civil liberties and democratic indexes, contributing to lower corruption levels.

These laws collectively address various aspects of corruption, from financial controls to civil service integrity and public engagement, indirectly impacting social determinants such as civil liberties, democratic practices, and human rights. However, to effectively combat corruption, these legal frameworks must be supported by robust enforcement and continuous evaluation to adapt to the evolving socio-economic and political contexts in Kazakhstan.

The attributes and characteristics of positive aspects of the national identity, as well as general mechanisms that organise a positive professional culture of the younger generation with consideration of international standards, are highlighted. To effectively combat corruption in Kazakhstan, it is important to adopt a comprehensive approach combining preventive measures, law enforcement efforts and institutional reforms. Here are some new and effective methods that can be used: Strengthening anti-corruption legislation: continuous review and updating of existing anti-corruption legislation to address emerging problems and loopholes. Introduce strict penalties for corruption offences, including increased fines and imprisonment as a deterrent. Implement measures to increase transparency in public administration, such as:

1. Promoting open data initiatives, publishing government budgets, and ensuring public access to information.

2. Encouraging the use of technology to streamline processes and minimise discretion.

3. Establishing a robust system of protection for whistle-blowers who report corruption.

4. Encouraging people to come forward by providing legal protection, maintaining confidentiality, and offering financial incentives.

5. Establishment of specialised units to investigate reports and take appropriate action.

6. Ensuring the independence of the judiciary by maintaining judicial appointments, training judges on anti-corruption measures and providing adequate resources to the judiciary.

7. Establishment of specialised anti-corruption courts or chambers to expedite the processing of corruption cases.

8. Development of anti-corruption agencies: giving anti-corruption agencies sufficient resources, authority, and independence to investigate and prosecute corruption cases.

9. Implementation of integrity systems in the public sector, including codes of conduct, ethics training and asset declaration requirements for public servants.

10. Establish independent bodies to monitor compliance with these systems and impose sanctions for violations.

11. Conduct public awareness campaigns on the harmful effects of corruption and their role in combating it.

12. Fostering a culture of integrity through civic education, emphasising ethical values, and promoting anti-corruption attitudes.

These measures should be implemented in a coordinated manner involving all stakeholders, including government authorities, civil society organisations, the private sector, and the general public, to ensure a sustainable and effective fight against corruption in Kazakhstan. Successful implementation of preventive measures would not be possible without the support of anti-corruption civil society institutions, which require further improvement. Based on this, a comparative analysis of the norms and mechanisms of suspension of investigation and punishment of corruption offences in different countries is conducted. The Netherlands, Indonesia, and Hong Kong are countries under comparison. The legal system in use determines which of these nations is selected. Indonesia and the Netherlands have civil law systems, whereas Hong Kong has a common law system. The diversity in legal systems have the potential to enrich and disclose new views on issue solving (Rinenggo *et al.*, 2022). Transparency International's annual study, held in 2020, highlighted Hong Kong's tolerance for corruption. According to the survey, 87.6% of participants said Hong Kong's corruption was totally intolerable. Hong Kong society's low tolerance for corruption is shown in the survey's average score of 0.4, which is based on a 0-10 scale, where 0 represents undesirability and 10 indicates extreme acceptability (Halimah *et al.*, 2021).

While each country's anti-corruption law framework is unique, the rules and roles of the anti-corruption authorities in Indonesia, Hong Kong, and the Netherlands are comparable. One of the similarities between them is that, both in norms and in practice, there is a mechanism to terminate the investigation of corruption offences. Within their respective legal contexts, Indonesia and the Netherlands have statutory provisions for ending investigations. But Hong Kong is the only nation where this method is acknowledged and regularly used in the practice of law. Regarding prosecution, the Public Prosecutor's Office has the same authority to pursue cases pertaining to corruption crimes in both Hong Kong (The Prevention of Bribery Ordinance (Cap. 201), 1971) and the Netherlands (Dutch Criminal Code, 1881). According to the Law No. 31/1999 "On Corruption Eradication" (1999),

corruption charges in Indonesia are subject to dual prosecution, with the Corruption Eradication Commission in addition to the prosecutor's office. These nations are likewise accustomed to the procedures used to drop criminal charges related to corruption violations. The Netherlands, Hong Kong, and Indonesia have different requirements before ending a criminal prosecution. Out of all these nations, the Netherlands has the most extensive standards for closing criminal proceedings. Judging from the implementation in some countries, such as the US, anti-corruption oversight should be carried out by an integrity board, which includes detailed oversight and accountability mechanisms that provide greater latitude for public oversight.

Since national courts lack the authority to prosecute criminals for breaking anti-corruption laws, combating the phenomenon is made more difficult by the possibility that corruption indicators have a transnational character. The study examines how corruption harms a country's ability to maintain economic stability. It is specifically proven that this effect is reflected in the expansion of the shadow economy, the distortion of the market economy's competitive process, the rise of inefficient private owners, and the decline in the effectiveness and utilisation of distribution. decrease in money allocated to the budget and worsening of the investment climate. Thus, the analysis of the index reveals the least corrupt countries (Denmark, Sweden, Switzerland, Finland, and Norway) and the most corrupt countries (Serbia, Northern Macedonia, and Montenegro). Therefore, the 2017 final study Global Corruption Barometer (2017) indicates that the most corrupt entities are the police and elected representatives. The survey found that religious leaders are the least corrupt. Brazil, Costa Rica, Paraguay, Greenland and Portugal are noted for having significant levels of anti-corruption awareness among their populations, in contrast to the Ukraine, Czech Republic, Slovakia, and Hungary, where awareness levels are comparatively lower. According to a Transparency International survey performed between January and March 2019, 54% of Brazilians and 49% of Costa Ricans saw an increase in corruption over the previous year.

Transparency International publishes an index to identify the least and most corrupt countries. Denmark, Sweden, Switzerland, Finland, and Norway were rated as low corruption countries, while Serbia, North Macedonia and Montenegro were rated as high corruption countries (Global Corruption Barometer, 2017). Instilling an anti-corruption culture in society and fostering an environment of zero tolerance for any sort of corruption is a critical step towards successfully combating this scourge. Additionally, Transparency International releases studies assessing the degree of corruption across a range of public and economic spheres. The most corrupt entities in the 2017 study were found to be elected officials and the police. Officials, business representatives, and locals trailed behind them (Global Corruption Barometer, 2017). The survey found that religious leaders were the least corrupt. It is a significant step for Kazakhstani public policy to prioritise the fight against corruption. However, to effectively fight corruption, comprehensive research and analyses are needed to determine the extent of corruption and systemic risks in different areas of society. As noted in the study by I. Dziublenko and N. Zhabinets (2024), understanding the relationship between corruption and other socio-political factors is essential for developing effective anti-corruption strategies and enhancing international cooperation.

People in some countries, such as Brazil, Costa Rica, Greenland, Paraguay, Paraguay, and Portugal, are actively fighting corruption. At the same time, the Czech Republic, Ukraine, Hungary, Slovakia, and other countries also face great difficulties in fighting corruption. The lack of statistical data on corruption offences can make it difficult to understand the full picture of the problem. It is therefore important to improve anti-corruption measures, including the strengthening of criminal laws, to fight corruption more effectively. In France, despite the implementation of different measures, the level of corruption in both the public and private sectors has shown no improvement. It is therefore recommended to strengthen the accountability of public officials for corruption and to investigate the liability of the business sector. It is important to have clear and precise criteria for defining a bribe. Contexts and circumstances should also be considered to ensure that justice is fair and effective (Global Corruption Barometer, 2017).

The study points to the need to develop specific mechanisms for modernising anti-corruption legal consciousness in Kazakhstan, especially among the younger generation, considering general trends and patterns of modernisation. The close work with the younger generation plays a fundamentally important role in forming anti-corruption legal awareness, as indicated by the National Development Plan of the Republic of Kazakhstan until 2025 (Decree of the President…, 2015). Educational, scientific, practical, informative-explanatory, and mass cultural measures are employed to form an active civic position and intolerance among the younger generation towards corruption. The OSCE Programme Office in Astana organised the "Youth Against Corruption" (2023) event to raise awareness and encourage action against corruption among young people. The criminalisation of bribery and the promise of bribes is an important step in the fight against corruption. However, more detailed research and analyses are needed to assess the effectiveness of law enforcement practice and to identify problems related to proving criminal behaviour. Analyses of the results point to the need to further develop anti-corruption measures and strengthen efforts to combat corruption in Kazakhstan. It is important to continue improving legislation, developing the civil service, and fostering ethical behaviour among civil servants. It is also important to pay attention to the social sphere and education to foster an anti-corruption culture in society.

Discussion

M.K. Zhusupbekova (2018) notes that the fight against corruption is of great importance and should be carried out by the whole society, for this purpose it is necessary to form an anti-corruption culture in the society, which specifically manifests itself in zero tolerance to any form of corruption. This means that society should express a clear and strong attitude towards corruption and prevent its spread. When corruption becomes entrenched within government bureaucracies, officials with vested interests benefit (Gulac et al., 2022). Counteracting this trend requires fostering a culture of honesty among citizens, which serves as a crucial defense against its proliferation (Subačienė et al., 2023). Kazakhstan aims to shift public perception and increase public condemnation of nepotism and corruption

in all its manifestations. The country has acknowledged the fight against corruption as one of its top goals for national policy. This creates a vicious circle where the national government cannot deal with corrupt officials, note A. Lopez-Claros *et al.* (2020). This is why Kazakhstan has prioritised the fight against corruption in its sovereign state policy. Kazakhstan needs to go from fighting corruption on a regular basis to a fundamental shift in public awareness and a deliberate rejection of nepotism and corruption in all its manifestations.

As G. Ferguson (2018) contends, it is critical to take ignorance of the nature, intent, or purpose of the bribe into account as a possible defence, subject to contradictory evidence. Indisputable proof of offering or consenting to accept a bribe ought to be grounded in precise intentions as opposed to nebulous anticipations or aspirations. This points to the need for a clearer definition and proof of criminal intent in corruption cases. G. Hambali (2020) conducted a study related to anti-corruption education such as the use of formative assessment methods in schools to evaluate anti-corruption education programmes in the learning process. A. Rinenggo *et al.* (2022) reviewed the literature on family, social, school, and national anti-corruption programmes. Furthermore, researchers L. Halimah *et al.* (2021) state that no study has precisely examined the implementation of anti-corruption teaching in higher education institutions, particularly in terms of student attitudes. Based on this, a proper study should be conducted to understand students' attitudes towards the introduction of anti-corruption education in civic education courses (Zulqarnain *et al.*, 2022).

Perception is a person's views or thoughts about other people, objects or events that exist. The concepts of S.P. Robbins *et al.* (2018) were used to study students' perceptions of anti-corruption education programmes. According to their theory, a person's perception can be influenced by several factors such as the perceiver (observer), set goals and situations. Each person has their unique characteristics, experiences, values, and beliefs that can influence their perceptions. For example, two different people may perceive the same event differently, and their previous experiences and attitudes may lead to different interpretations. The perceiver's goals can also influence their perceptions. If a person has a particular goal or interest in a particular object or event, they may pay more attention to certain aspects and seek out information that supports their goals. The context or situation in which perception takes place can also play an important role. Various factors such as the physical environment, social norms and expectations can affect a person's perception. For example, depending on the situation, a person may pay attention to different aspects or give more importance to certain details. Perception is a complex and individual process, and all of these factors can interact with each other and influence a person's final perception of other people, objects, or events.

One of the main goals of civic education is to build the knowledge base and skills needed to understand the political, social, and economic aspects of society. This allows students to develop critical thinking, analytical skills, and the ability to make informed decisions. Building a knowledge base is the highest perception among participating college students. According to Q. Li and L. An (2020), civic education plays a crucial role in fostering a rational society and educating individuals on how to become responsible citizens. In Indonesia, smart and good citizens are those who abide by existing Indonesian laws and incorporate Panchasila values into their lives, as labelled by E. Komara (2017) and E.S. Nurdin (2015).

Several countries, such as Azerbaijan, Georgia, Kyrgyzstan, Ukraine, and Moldova, have criminalised bribery and the promise of a bribe. Unfortunately, there is no publicly available information on the prevalence of their enforcement practices. Scholars have pointed out the difficulty of proving criminal behaviour. In line with the need to reduce corruption offences in Kazakhstan, the current criminal legislation is constantly being improved. The potential of criminal law to combat corruption needs to be re-evaluated because corruption in Kazakhstan impedes the creation of a true state guided by legal principles and the construction of the rule of law. As of right now, promises, offers of bribes, and permission to accept bribes are illegal under scientific legal frameworks, according to researchers and practitioners in Kazakhstan.

J. Wachs *et al.* (2019) emhasises that fragmented social networks, indicative of bonding social capital, correlate with higher corruption risk, while diverse external connections, indicative of bridging social capital, correlate with lower corruption risk. It is crucial to acknowledge that laws and anti-corruption organisations have a significant impact on increasing transparency and decreasing corruption, which is consistent with the significance of social capital that academics have emphasised.

According to L.M. Akimova *et al.* (2020), despite the recent favourable outcomes of these measures, corruption, particularly in the public and private sectors, is still at the same level. Hence, it is necessary to focus on strengthening the responsibility of civil servants for corruption and to strengthen the investigation of corporate structures. Therefore, there is a need to strengthen the accountability of public officials for corruption and to conduct more active investigations of corporate structures. R. Remeikienė *et al.* (2020) investigates the links between corruption and quality of life in the European Union, employing a comprehensive analysis of various socio-economic factors. The study finds a significant negative correlation between corruption levels and quality of life indicators, such as GDP per capita, public trust, and overall governance effectiveness. The conclusions emphasize the detrimental impact of corruption on economic and social well-being, recommending robust anti-corruption measures and policies to enhance the quality of life. The current results also agree on the need for continuous improvement of anti-corruption measures and the importance of international cooperation in combating corruption. Criminal and legal aspects of countering corruption in the current conditions in Kazakhstan are important factors in combating this phenomenon. Kazakhstan has developed and adopted several laws and regulations that are aimed at countering corruption. For instance, the Criminal Code of the Republic of Kazakhstan contains articles on bribery, abuse of power, illicit enrichment, and other corruption offences (Abdrasulov *et al.*, 2024).

The issue of international cooperation in the fight against corruption can also be touched upon. It is important to note the role and importance of international organisations such as the UN, The World Bank, and Interpol in supporting Kazakhstan in this area, as well as the exchange of experience and transfer of knowledge with other countries (Kostiuk

& Drok, 2024). It is underlined how crucial it is to fight corruption and how important it is to instill an anti-corruption culture in society. The study by J. Keneck-Massil *et al.* (2021) investigates the relationship between corruption, income inequality, and political power distribution across 172 countries from 1975 to 2017. The authors discover that, while lesser corruption correlates with lower income disparity internationally, this link is reversed in developing nations. When compared to current findings for Kazakhstan, both studies emphasise the necessity of strong legal frameworks and efficient anti-corruption initiatives. It should be noted that legislative acts and anti-corruption institutions play an important role in promoting transparency and combating corruption.

It is also noted that corrupt officials have an interest in bureaucratising the government and when corruption becomes an institution, it creates a vicious circle (Kurhan *et al.*, 2023). There is a need to improve criminal legislation and to establish strict measures to curb corruption, such as injunctions. It is also worth noting the lack of a scientific legal framework to criminalise promises, offers of bribes and acceptance of bribes in Kazakhstan. The fight against corruption in Kazakhstan is one of the main priorities of state policy. Kazakhstan has developed and adopted several laws and regulations aimed at combating corruption, including a criminal code with relevant articles. However, an important issue remains the criminalisation of various forms of corruption and the identification of specific acts that should be criminalised, and appropriate penalties provided for. Problems with the application of the legislation in court practice also need to be discussed and resolved.

International cooperation, especially with support from organisations such as the UN, the World Bank and Interpol, plays an important role in the fight against corruption in Kazakhstan. Sharing experience with other countries is also significant. Building an anti-corruption culture in society and taking tough measures, including injunctions, are essential to curb corruption. An important challenge is the lack of a scientific legal basis for criminalising promises, offers of bribes and acceptance of bribes in Kazakhstan. This means that further research and development of appropriate legislative measures are required to effectively combat these types of corruption. Overall, the fight against corruption in Kazakhstan is an important priority, and to succeed, it is necessary to improve legislation, strengthen accountability, entrench an anti-corruption culture in society and develop international cooperation.

Conclusions

This study examined the criminal and legal aspects of combating corruption in Kazakhstan, analysing the current regulatory framework, social determinants, and effectiveness of anti-corruption measures. The research highlights that, while Kazakhstan has made significant strides in developing anti-corruption legislation and institutions, challenges remain in effectively implementing these measures and addressing the root causes of corruption.

The study of social determinants of corruption in Kazakhstan reveals a complicated interaction between economic development, democratic norms, and civil freedoms. Despite moderate economic growth, Kazakhstan's low rankings on indices of human rights, electoral democracy, and civil freedoms are associated with higher levels of corruption. This analysis demonstrates that economic development alone is insufficient to effectively combat corruption; instead, enhancing democratic procedures and defending civil rights are critical to reducing corruption.

An examination of Kazakhstan's anti-corruption laws reveals that social considerations are taken into account when fighting corruption. These regulations seek to strengthen civil service integrity, address financial transparency, and foster an anti-corruption culture. The laws do, however, not completely address the fundamental problems of limited civil freedoms and weak democratic processes found in the social determinants analysis, even though they do create frameworks for accountability and transparency. The legislative framework serves as a platform for anti-corruption activities, but it lacks comprehensive measures to build democratic institutions and preserve civil freedoms, both of which are required to effectively combat corruption. This gap indicates the need for more legislative reforms that directly address the social and political variables that contribute to corruption in Kazakhstan.

Further research in this area should look into the effectiveness of anti-corruption measures, the impact of corruption on economic security and social consequences, international ethical and cultural issues, and innovative approaches, all with the goal of improving understanding and developing more effective anti-corruption strategies.

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Анотація. Корупція є глобальною проблемою, що підриває соціальну, економічну та політичну стабільність у багатьох країнах світу. Казахстан, як країна, що швидко розвивається, усвідомлює згубну роль корупції в суспільстві і робить значні кроки для боротьби з цією проблемою. Метою дослідження є вивчення процедур, що використовуються для розслідування та притягнення до відповідальності за корупційні правопорушення. Для досягнення поставленої мети було використано такі методи: аналіз законодавства, догматичний метод, методи юридичної герменевтики та порівняння, кількісний аналіз. Розглянуто законодавчі документи, звіти та інші джерела, пов'язані з корупцією та протидією їй у Казахстані; досліджено роботу антикорупційних інституцій: проведено аналітичну роботу з вивчення ролі та діяльності антикорупційних інституцій у Казахстані та визначено ключові соціальні детермінанти корупції в країні. Висвітлено основні законодавчі акти, прийняті Казахстаном для боротьби з корупцією, та їх вплив на суспільний та правовий простір. Можна зробити висновок, що прийняті законодавчі акти та діяльність антикорупційних інституцій позитивно впливають на боротьбу з корупцією та підвищення прозорості в країні. Зроблено висновок, що для оновлення законодавства та запровадження нових норм законодавець повинен провести ретельне дослідження соціальних детермінант корупції. Таким чином, практична значущість цього дослідження полягає в тому, що його теоретичні висновки можуть бути використані державними органами для вдосконалення боротьби з корупцією в Казахстані

Ключові слова: нормативно-правова база; антикорупційні заходи; кримінальна відповідальність; міжнародне співробітництво; відмивання грошей