

JEL Classification: E 69; H89; K21; K42; L41

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CORRUPTION RISKS IN THE FIELD OF PUBLIC PROCUREMENT AND WAYS TO MINIMIZE THEM

Summary

The article describes current aspects of the functioning of national public procurement system after the signing of the Association Agreement with the European Union and the introduction of new tender legislation. It is identified and described the impact of public procurement on socio-economic processes in the country through the implementation of their special functions. The negative effect of corruption in tender processes, which lead to financial, quantitative, qualitative and political losses for the country, is generalized. The problem of further existence of corruption in the field of public procurement is highlighted and its current level after the introduction of new approaches and tools is assessed. The main types of corruption offenses in the tender area, which are associated with the receipt of illegal benefits, bribery, using of financial resources intended for public procurement for personal gain or enrichment are identified.

Based on the assessment of functional component of public procurement and analysis of the organizational mechanism of their conduct, identified corruption risks that arise at the stage of preparation of tenders, qualifications of their participants, execution of the order; singled out and detailed indicators of corruption risks. They are determined by motivated lobbying to intensify of using of public procurement in a certain economic activity, manipulation of procurement volumes and necessary financial resources, secret agreements, using hidden elements of discrimination, unreasonable preferences for individual participants, and unsystematic selection of the tender winner.

The ways of minimizing corruption risks, which provide a combination of psychological, technical, regulatory and repressive methods are generalized. Potential of novelties of modern tender legislation from the position of counteraction to corruption manifestations and strengthening of influence of regulatory and repressive means of their minimization is estimated. The need to further intensify the activities of regulatory and law enforcement agencies as institutions that are formed to implement the repressive component of combating corruption in the field of public procurement is identified.

Keywords: electronic procurement system, market place, bidder, customer, tender, corruption risk, corruption offense, corruption scheme, risk indicator.

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