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Research Article

MODEL LAWS AND RECOMMENDATIONS COMMONWEALTH OF INDEPENDENT STATES REGARDING ANTI-CORRUPTION EXPERTISE OF DRAFT LEGISLATION

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ABSTRACT

This scientific work was prepared by the author as part of the preparation of a dissertation for the degree of Doctor of Philosophy (PhD). The article includes an overview of the acts adopted by the Inter-Parliamentary Assembly of the CIS Member States that affect the anti-corruption expertise of draft legislation. The proposed models for the CIS countries are considered, as well as the mechanisms used in some countries of the post-Soviet space. A brief overview of the legislation of the CIS countries in the field of regulation of anti-corruption expertise of draft regulations is given. In parallel, the author, based on the experience under consideration, developed appropriate proposals for improving the mechanisms for applying anti-corruption expertise of draft legislation in the Republic of Uzbekistan.

KEYWORDS

CIS, foreign experience, anti-corruption expertise of draft normative-legal acts, corruption, corruption norms, corruption-related factors, legislation, fight against corruption.

INTRODUCTION

In its essence, corruption has a history of many thousands of years of existence, and throughout this time it has undergone changes, acquired new forms, depending on the development of mankind. From those same times to the present, a struggle has been waged against this negative phenomenon, and this

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struggle is being waged both at the domestic level and through joint efforts.

In our opinion, corruption, in its broadest sense, is the main enemy of the development and prosperity of any state. The most terrible consequences of corruption are the degradation of state institutions, the generation of a distrustful attitude of citizens towards the government and the existing system of government as a whole.

Being present in almost every corner of the planet, in every state, corruption differs only in the size of its scale. Moreover, this terrible social phenomenon has no limits of its impact and takes on the character of a global problem that the entire world community is facing.

Thus, the fight against corruption is carried out both at the domestic level and by combining efforts. One of such joint efforts was the corresponding associations of states, for example, the UN and the CIS. As practice shows, such organizations are formed in connection with the presence of certain problems that have significant consequences and require the unification of efforts and the adoption of joint decisions in order to collectively overcome them with the least losses. So, if the reason for the creation of the UN was the Second World War, then the fundamental reason for the creation of the CIS was the need to unite the efforts of states that had embarked on their own path of independent development in connection with the demise of the USSR.

These organizations have similar areas of their activities, but at the same time they have their own specific outlines associated with certain common grounds. One of these areas is the fight against corruption, including through the use of mechanisms for anti-corruption expertise of draft legislation being developed.

The fundamental call, within the framework of adopted UN documents, for the need to identify and eliminate corruption-prone elements in legislation is contained in general terms in Article 5 of the 2003 United Nations Convention against Corruption. According to paragraph 3 of the said article, "Each State Party shall endeavor to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy in terms of preventing and combating corruption" .

Here we can observe the difference in approaches to the implementation of this rule in the countries that are members of the UN. The unifying component, in our opinion, is the similarity of the paths of the historical and political development of a particular state. Thus, almost all countries of the post-Soviet space, and especially the CIS countries, have chosen the most active way of implementing anti-corruption policy in the rule-making process than the countries of Europe, America and other countries.

In our opinion, the fundamental reason for such different approaches is the presence or absence of an established system of legislation. So, if most of the countries of Europe and America already had a well-formed and historically tested legislative base, then the CIS countries, united by similar challenges in the development of statehood, had yet to go this way, taking into account the need to develop and approve a system of legislation in the conditions of the independence of each country.

Given these approaches, the countries were divided into those who singled out the anti-corruption expertise of draft legislation as an independent area

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and those who did not separate it from the existing mechanisms of legal (legal) expertise.

In such conditions, the normative documents adopted within the framework of the CIS began to stand out and take on the shape characteristic of the countries participating in this commonwealth.

The date of creation of the Commonwealth of Independent States is considered December 8, 1991, when the leadership of Belarus, Russia and Ukraine signed the Agreement on its establishment. In the same month, on December 21, 1991, in Alma-Ata, the leaders of 11 independent states (Azerbaijan, Armenia, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan and Ukraine) signed the Protocol to the named Agreement, which stipulates, that these countries form the Commonwealth of Independent States on an equal footing. A little later, or rather in December 1993, Georgia decided to join the CIS, but in 2008 it changed its mind and, having implemented all the necessary procedures, withdrew from the CIS in 2009.

Among the fundamental documents adopted in the framework of the activities of the CIS and related to the anti-corruption expertise of draft legislation, we propose to single out the following.

1. CIS Model Law of 2003 "Fundamentals of legislation on anti-corruption policy". As we understand, this Law was the first to apply and consolidate in its conceptual apparatus a specific definition of the concept of "anti-corruption expertise of legal acts".

The law first of all determined the list of relations, the legal regulation of which is referred to the anti-corruption policy. Among such relations, within the framework of the anti-corruption expertise of draft legislation, it is proposed to single out the following:

consolidation of the fundamental provisions of the anti-corruption policy;

determination of priority areas and a system of mechanisms for preventing corruption, as well as organizations implementing anti-corruption policies. It seems appropriate to note that the Law under consideration classifies anti-corruption expertise of legal acts as one of the most important measures to prevent corruption offences;

a clear delineation of powers between the republican, regional and local authorities in the field of anti-corruption policy implementation;

establishment and implementation of anti-corruption policy in rule-making activities.

One of the main tasks and directions of anti-corruption policy, within the framework of our subject, the Law determined:

"prevention of corruption offenses;

monitoring of corruption factors;

promotion of legal reform aimed at reducing the uncertainty of legal institutions, the effective protection and protection of the rights and freedoms of man and citizen" .

Important for us, but still forthcoming for full implementation, are the fixed principles of anti-corruption policy, among which it is proposed to highlight the priority of corruption prevention mechanisms and the normative consolidation of anti-corruption standards at the level of legislative acts. The latter, in turn, once again emphasizes the need to develop and adopt in our country the Law "On Anti-Corruption Expertise".

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An important component for us was the presence in the Law of a separate article 14, directly dedicated to the anti-corruption expertise of legal acts, including drafts. This article also emphasizes what we mentioned in the previous paragraph, namely, that the normative regulation of anti-corruption expertise should be at the level of the State Law. Also, here we found a specific statement that the anti-corruption expertise of legal projects is one of the types of criminological expertise, which we talked about in Chapter 1 in the framework of the Belarusian experience and which we will discuss in more detail a little later.

At the same time, it is suggested to note that not all CIS countries took advantage of this recommendation. Thus, a separate specialized law, directly aimed at regulating relations in the field of anti-corruption expertise, is currently available only in the Republic of Tajikistan and the Russian Federation, which has the identical name of the Law "On anti-corruption expertise of normative legal acts and draft normative legal acts".

In the Republic of Uzbekistan, the need to adopt such a Law was indicated back in 2020. Moreover, this was indicated by a very weighty regulatory legal act - Decree of the President of the Republic of Uzbekistan dated June 29, 2020 No. UP-6013 "On additional measures to improve the anti-corruption system in the Republic of Uzbekistan". According to this decision of the President, the newly created Anti-Corruption Agency of the Republic of Uzbekistan, together with the Ministry of Justice, the General Prosecutor's Office of the Republic of Uzbekistan and other interested organizations, with the mandatory involvement of international experts in this process, was instructed to develop a draft Law "On anti-corruption expertise of legal and regulatory acts and their projects" and submit it to the Administration of the President of the Republic of Uzbekistan. Unfortunately, we have to state the fact that two years have passed, and the Law has not been adopted.

Returning to Article 14, it is considered possible to further indicate the procedures proposed to the CIS member states for conducting anti-corruption expertise of draft regulatory legal acts:

a) The need for mandatory expertise of draft laws and other regulatory legal acts affecting the priority areas of legal regulation of anti-corruption policy. It is proposed to note that the Republic of Uzbekistan has succeeded in this direction, since in our country every developed regulatory legal act is subject to anti-corruption expertise, regardless of its type;
b) Conducting an official anti-corruption expertise. At the same time, the law does not specify what is meant by official anti-corruption expertise. We can only assume that this is an anti-corruption expertise carried out by a specially authorized state body, following which an official conclusion is presented. Most likely, this concept is applicable for countries in which such an examination is not mandatory. However, it is stated that:

"The decision to conduct an official anti-corruption expertise of a draft law is made by the State Parliament or an agency authorized by it after the relevant draft law has been submitted to the lower house of the Parliament before it is considered in the first reading;

The decision to conduct an official anti-corruption expertise of other normative legal acts of the national level and their drafts is taken by the State Security Council;

The decision to conduct an official anti-corruption examination of regulatory legal acts and their drafts

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Adopted at the municipal level may be taken by an authorized body of local self-government or a state entity (for federal states);

Decisions to conduct an unofficial anti-corruption expertise of draft legal acts are taken by the subjects of anti-corruption policy independently" .

Also important is the anti-corruption standard enshrined in the Law in the field of rule-making, the purpose of which is to prevent corruption in legislation and to suppress corruption-prone components in the process of its development and adoption. This standard establishes a ban on the development of legislation without anti-corruption expertise, as well as the adoption of legal acts without taking into account the results of such expertise and without specific fixing of the mechanisms for their implementation.

2. CIS Model Law of 2012 "On anti-corruption expertise of regulatory legal acts and draft regulatory legal acts". The sphere of regulation of this Law is relations related to the organization and conduct of anti-corruption expertise, including draft regulatory legal acts, in the member states of the Commonwealth of Independent States, for the purpose of early detection and elimination of corruption-prone norms.

The document, in an extremely detailed form, provides the principles of anti-corruption expertise of draft regulatory legal acts, among which it is proposed to highlight the following:

Mandatory, providing for the inadmissibility of evasion of any project from the examination;

Evaluation of the developed project, which consists in studying the impact on the current legislation;

Scientific validity, objectivity and comprehensiveness of the examination;

Obligatory consideration of the anti-corruption opinion;

Competence of specialists conducting the examination;

Publicity, providing free access to the results of the examinations;

The inevitability of responsibility of persons authorized to organize and conduct an examination, as well as those responsible for quality control.

A significant assistance in the development of national legislation in the field of anti-corruption expertise of draft legislation was the introduction of a specific list of corruption factors, which can be changed and supplemented by any CIS state.

At the same time, the Law does not provide a specific definition of the concept of "corruption factors", according to the well-known scientist in the area under consideration, Tsirin A.M., this was done presumably due to the possibility of a significant difference with the national legislation of the participating countries.

According to Article 5 of the Law under consideration, corruption-related factors were divided into two large subgroups:

"1. Corruption-related factors that establish unreasonably wide margins of discretion for the law enforcer or the possibility of unreasonable application of exceptions to the general rules:

- The breadth of discretionary powers - the absence or uncertainty of the terms, conditions or grounds for making a decision, the presence of duplicating powers of public authorities or local governments (their officials);

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- Definition of competence according to the formula "right" - a dispositive establishment of the possibility of committing actions by public authorities or local governments (their officials) in relation to citizens and organizations;
- Selective change in the scope of rights - the possibility of unjustified establishment of exceptions from the general procedure for citizens and organizations at the discretion of public authorities or local governments (their officials);
- Excessive freedom of subordinate rule-making - the presence of blanket and reference norms, leading to the adoption of by-laws that intrude into the competence of the state authority or local government that adopted the original regulatory legal act;
- Adoption of a regulatory legal act outside the competence - exceeding the competence of state authorities or local governments (their officials) when adopting regulatory legal acts;
- Normative conflicts - a contradiction of a normative legal act in whole or in part to another normative legal act, creating for officials and employees of state bodies the possibility of an arbitrary choice of an act to be applied in a particular case;
- Filling in legislative gaps with the help of by-laws in the absence of a legislative delegation of relevant powers – establishing generally binding rules of conduct in a by-law in the absence of a law;
- The absence or incompleteness of administrative procedures - the absence of a procedure for the commission by public authorities or local governments (their officials) of certain actions or one of the elements of such an order;
- Refusal of competitive (auction) procedures - fixing the administrative procedure for granting rights and (or) benefits.

2. Corruption-related factors containing uncertain, difficult and (or) burdensome requirements for citizens and organizations:

- The presence of excessive requirements for a person who exercises his right, - the establishment of vague, difficult and burdensome requirements for citizens and organizations;
- Abuse by state authorities or local authorities (their officials) of the right of the applicant - lack of clear regulation of the rights of citizens and organizations;
- Legal and linguistic uncertainty - the use of evaluative categories and ambiguous terminologically unjustified vocabulary without clarifying the interpretation of specific concepts" .

It should be noted that the proposed corruption-related factors are taken as a basis by the CIS states when developing national methods for conducting anti-corruption examinations. For example, in Uzbekistan, until February 2021, these two groups of the above corruption-related factors were used, while the corruption factors associated with the presence of gaps in legal regulation were singled out in a third independent group. After the adoption at the beginning of 2021 of a new procedure for conducting anti-corruption expertise, corruption-related factors were divided into four large groups, which included all of the above, while they were combined in an order that is difficult to understand by a person who was not directly involved in the development of a new procedure.

In the Republic of Tajikistan, corruption-related factors were also divided into two groups:

"1. Corruption-related factors - a norm (norms) in normative legal acts, draft normative legal acts that contradicts the Constitution of the Republic of

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Tajikistan and other normative legal acts of the Republic of Tajikistan, as well as international legal acts recognized by Tajikistan, state programs (strategies) in the field of combating corruption, creating conditions for conflicts of interest, prerequisites for violating official ethics and non-compliance with the principle of transparency, giving law enforcement state bodies and their officials of unreasonable administrative powers and discretion, the possibility of unreasonable application of exceptions to the general established rules, as well as the risk of a situation where obstacles arise by creating vague requirements, difficult and artificial obstacles for individuals and legal entities.

2. Corruption-related factors that establish for the law enforcer unreasonably wide power and administrative powers, limits of discretion or the possibility of unreasonable application of exceptions and restrictions from the general rules" (breadth of discretionary powers, the use of the expression "right", conflicts and gaps in legislation, etc.).

Further, the CIS Law lists 5 areas of public relations, which are proposed to be given priority attention in the conduct of anti-corruption expertise of projects:

1. Relations between representatives of state bodies and the population, as well as non-governmental organizations;

2. Economic legislation in the field:

- Antimonopoly regulation;
- Taxes;
- Bankruptcy;
- Foreign economic activity;
- Customs regulation;
- Currency control;
- Housing and communal services, as well as housing and road construction;
- Licensing;

3. Distribution of budgetary funds, including legislation on public procurement;

4. Provision of public services free of charge.

Important for the further development of the institute of anti-corruption expertise of the Republic of Uzbekistan is the following list of subjects for conducting anti-corruption expertise of regulatory legal:

Prosecution authorities (Belarus, Russia (Kyrgyzstan in the project);

Parliament (Azerbaijan, Kyrgyzstan, Moldova);

Ministry of Justice, executive authorities - project developers (Armenia, Tajikistan, Uzbekistan, Ukraine, Russia, Kazakhstan);

Other state bodies, local self-government bodies and their officials (Moldova);

Specially authorized body (Moldova, Belarus, Tajikistan);

Independent anti-corruption expertise by legal entities and individuals (Kazakhstan, Moldova, Russia, Tajikistan, Uzbekistan).

Speaking of importance, the author implies the possibility and need for further development of national mechanisms for conducting anti-corruption expertise, in particular, it is proposed to expand the circle of subjects for conducting state (official) anti-corruption expertise, authorizing, in addition to the Ministry of Justice, the Anti-Corruption Anti-Corruption Agency and the Prosecutor's office of the Republic of Uzbekistan.

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Particular attention, in the form of a separate chapter, is given by the Law to the institution of independent anti-corruption expertise, in which the section touches on the regulation of this institution in great detail.

In particular, the countries are offered the following mechanisms:

Accreditation by legal entities and individuals in the justice authorities to obtain the right to conduct an independent anti-corruption expertise. At the same time, it is specifically stipulated that accreditation should be free of charge;

Conducting an examination at its own expense, as well as at the expense of budgetary funds, in cases provided for by national legislation;

Availability of professional and qualification requirements for independent experts (higher legal education, practical experience of at least 5 years, passing a special training course in the field of anti-corruption expertise);

In the case of a legal entity, there is a requirement to have at least 5 employees in the state that meet the requirements given in the previous paragraph.

It is proposed to note that the Republic of Uzbekistan has recently taken a significant step towards the formation and development of an independent anti-corruption expertise, as evidenced by the fundamental documents in this area, which included most of the norms of the Model Law under consideration:

Decree of the President of the Republic of Uzbekistan dated October 22, 2021 No. PP-5263 "On measures to further improve the conduct of anti-corruption expertise of regulatory legal acts and their drafts";

Order of the Minister of Justice of the Republic of Uzbekistan dated February 2, 2022 No. 2-mx "On approval of the Regulations on the procedure for the formation and maintenance of a register of experts on anti-corruption expertise of legislative acts and their drafts".

It is proposed to emphasize the essential importance of having and improving the mechanisms for conducting an independent anti-corruption expertise, as many researchers in the field under consideration have said and are talking about. For example, experts in the field of anti-corruption policy of the National Research University of Russia "Higher School of Economics" Dolotov R.O. and Krylova D.V. emphasize that "the development of the institution of independent anti-corruption expertise of normative legal acts and their projects is one of the topical areas of interaction between the state and civil society institutions and citizens in the fight against corruption" . We will dwell on this topic in more detail in a separate paragraph directly devoted to independent anti-corruption expertise.

In conclusion, the document contains recommendations on drawing up the conclusion of the anti-corruption expertise and taking into account the results of consideration of such conclusions. In essence, most of the CIS countries took these recommendations as a basis and, of course, made adjustments based on the national legislation of each state individually.

In general, this law has a very wide scope of regulation of relations in the field of anti-corruption expertise of draft legislation. "The model law and recommendations for conducting anti-corruption expertise of regulatory legal acts and draft regulatory legal acts, adopted by the Inter-Parliamentary Assembly of the CIS Member States, quite fully

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regulate the procedure and methodology for conducting anti-corruption expertise.

3. Recommendations for conducting anti-corruption expertise of regulatory legal acts and draft regulatory legal acts, approved in 2012 by a resolution of the Inter-Parliamentary Assembly of States Members of the Commonwealth of Independent States.

Understanding the importance and scope of the subject of anti-corruption expertise, a few months after the adoption of the Model Law "On anti-corruption expertise of normative legal acts and draft normative legal acts", the Inter-Parliamentary Assembly of States Members of the Commonwealth of Independent States developed the above recommendations.

The recommendations are a sample of rules or methodology for conducting anti-corruption expertise by all subjects (state bodies and independent experts) of legal acts.

The very fact of preparing such a draft is the basis for conducting an anti-corruption expertise of a draft regulatory legal act. Thus, the obligation to conduct this type of examination is emphasized.

At the same time, not all countries have chosen the approach of unconditional obligation, putting forward specific restrictions, or an exhaustive list of public relations, the regulation of which is subject to mandatory anti-corruption expertise.

Thus, in Belarus there is a specific list of draft normative legal acts that are not subject to criminological examination by the state institution "Scientific and Practical Center for the Problems of Strengthening Law and Order of the Prosecutor General's Office of the Republic of Belarus":

"Prepared in connection with the conclusion, execution, suspension or termination of international treaties of the Republic of Belarus;

Relating to technical regulatory legal acts;

Containing state secrets, unless otherwise provided by the President of the Republic of Belarus;

of the National Bank on the issuance of banknotes and coins, including commemorative banknotes, commemorative and bullion (investment) coins, and their withdrawal from circulation, on the establishment of the refinancing rate of the National Bank, on the establishment of mandatory reserve ratios deposited with the National Bank (reserve requirements), on the minimum amount of the authorized capital of a bank, non-bank financial institution, on the amount (quota) of participation of foreign capital in the banking system;

On the regulation of prices (tariffs) for goods, works (services), with the exception of regulatory legal acts that determine the procedure for establishing and applying prices (tariffs);

By decision of the President of the Republic of Belarus, the Administration of the President of the Republic of Belarus" .

In Kazakhstan, "the requirement to conduct a scientific anti-corruption expertise does not apply to projects:

Normative legal decrees of the President of the Republic of Kazakhstan;

Normative legal acts of the Chairman of the Security Council of the Republic of Kazakhstan;

Regulatory resolutions of the Parliament of the Republic of Kazakhstan and its Chambers;

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Normative resolutions of the Constitutional Council;

Normative resolutions of the Supreme Court of the Republic of Kazakhstan;

Resolutions of the Government providing for the submission of draft legislative acts for consideration by the Mazhilis of the Parliament of the Republic of Kazakhstan and draft decrees of the President of the Republic of Kazakhstan for consideration by the President of the Republic of Kazakhstan;

Normative legal acts on recognition of normative legal acts as invalid;

Normative legal acts providing for the adoption of decisions on the establishment (cancellation) of a quarantine zone with the introduction of a quarantine regime in the relevant territory, on the establishment (removal) of quarantine and (or) restrictive measures in cases provided for by the legislation of the Republic of Kazakhstan in the field of veterinary medicine, as well as declaring an emergency natural and man-made character;

Normative legal acts on the formation of polling stations and the determination of places for placing campaign printed materials;

Regulatory legal acts on the formation, abolition and transformation of administrative-territorial units, the establishment and change of their boundaries and subordination, their naming and renaming, as well as the clarification and change in the transcription of their names;

Regulatory legal acts on the naming and renaming of the constituent parts of settlements, as well as clarifying and changing the transcription of their names;

Regulatory legal acts on the approval of the state list of historical and cultural monuments of republican and local significance;

Regulatory legal acts on the approval of budgets of all levels;

Regulatory legal acts on a guaranteed transfer from the National Fund of the Republic of Kazakhstan;

Regulatory legal acts on the volume of transfers of a general nature between the republican and regional budgets, the budgets of cities of republican significance, the capital;

Normative legal acts on the approval of marginal tariffs, prices provided for by the legislation of the Republic of Kazakhstan;

Regulatory legal acts on the establishment of a public easement;

Regulatory legal acts on the approval of qualification requirements for administrative public positions;

Normative legal acts containing state secrets and other secrets protected by law, as well as marked "For official use", "Not published in print", "Not for print" .

In Russia, if we consider the so-called state (official) anti-corruption expertise of draft legislation conducted by the Ministry of Justice of the Russian Federation, the first thing to say is that this expertise is carried out as part of a legal expertise, and not as an independent one. The second thing we noticed is the lack of exceptions for any projects.

If we consider independent anti-corruption expertise in Russia, then according to the Rules for conducting anti-corruption expertise of normative legal acts and draft regulatory legal acts, “in order to ensure the possibility of conducting an independent anti-

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corruption expertise ... state bodies and organizations - developers of draft regulatory legal acts ... post these projects on the website: regulation.gov.ru" .

In Uzbekistan, a similar situation is observed in terms of conducting a state (official) anti-corruption expertise of draft legal acts as part of a legal expertise by the Ministry of Justice. At the same time, conditions are provided for conducting an independent anti-corruption expertise by independent and scientific experts, which can only be individuals included in the Register of Experts for Anti-Corruption Expertise of Legislative Acts and Their Drafts.

The recommendations offer the CIS countries three main stages of anti-corruption expertise:

- Preparation (gathering the necessary information related to the project);
- Conducting an examination (identification of corruption-related norms);
- Preparation of a conclusion (formulation of results on identified corruption-related factors, comments and proposals for their elimination).

Further, the requirements for conducting anti-corruption expertise are fixed. Among these requirements, it is proposed to note the need to check each norm without exception, as well as predicting the possible consequences of the identified corruption-related factors.

Based on our practical experience in the Ministry of Justice of the Republic of Uzbekistan, namely in the Main Department of Legislation, which directly carried out the anti-corruption expertise of draft regulatory legal acts, I would like to note that these requirements were most often used.

The recommendations separately touch upon the topic of the competence of persons authorized to conduct anti-corruption expertise of draft legislation. In order to avoid problems with this requirement, the following is suggested:

a) fixing professional and qualification requirements at the level of legislation (higher legal education, scientific specialization, practical experience in the field of combating corruption, rule-making experience, if necessary, passing a special course in the field of anti-corruption expertise).

In our opinion, this requirement is mainly applicable to persons involved in independent anti-corruption expertise, since the official (state) anti-corruption expertise is carried out by employees of state bodies, whose qualifications and competence have already been confirmed by the fact that they were hired into the civil service, by passing the necessary procedures admission to work.

There are also three other important documents that are invited to pay attention to:

Commentary on the Model Law "On Anti-Corruption Expertise of Regulatory Legal Acts and Draft Regulatory Legal Acts", approved in 2013 by a resolution of the Inter-Parliamentary Assembly of States Members of the Commonwealth of Independent States;

2013 CIS Model Law "On Anti-Corruption Monitoring";

Recommendations for conducting anti-corruption monitoring in the CIS member states, approved in 2013 by a resolution of the Inter-Parliamentary Assembly of States Members of the Commonwealth of Independent States.

In conclusion, we propose to identify a significant difference between the approaches to the implementation of anti-corruption policy in the rule-

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making process in most European countries, Canada, the United States and the member states of the Commonwealth of Independent States.

As we could see, anti-corruption expertise in its understanding is mainly found in the countries of the post-Soviet space, whose legislation is undergoing a stage of new formation and constant reform in the conditions of independence of each country. Many factors specific to each state separately are taken into account, and there are also many similar general directions for conducting rule-making policy.

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