LESSON «WHERE TO FILE A COMPLAINT ABOUT A CORRUPTION OFFENSE»

Powerful lawyers team, (Law clinic of Kremenchuk Mykhailo Ostrogradskyi National University)

LESSON GOAL:	Introduce students to the concept of «corruption» and the causes of its occurrence. Provide information about anti-corruption legislation. Consider where to file a complaint about a corruption offense and how to act if it is detected. Develop skills in submitting an application and applying to the relevant authorities.
LESSON OBJECTIVES:	answer the questions: What is corruption? What are the types of corruption? Who is the whistleblower? Where to file a complaint about a corruption offense
AUDIENCE/NUMBER OF PARTICIPANTS:	students of grades 8-9/20-30 people
DURATION:	45 minutes.
FORMAT:	classes (online or offline).
EQUIPMENT:	projector
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LESSON PROGRESS.

1. Organization of educational activities
2. Motivation of educational activities
3. Learning the material
4. Generalization and systematization of knowledge
5. Lesson reflection

ORGANIZATION OF EDUCATIONAL ACTIVITIES (5 MIN)

1. Greeting and checking the audience.
2. Announcement of the topic and purpose of the lesson.
3. Setting rules and expectations in the lesson.
4. Explanation of the lesson plan.

MOTIVATION OF EDUCATIONAL ACTIVITIES (5 MIN)

Questions to engage::

- *Do you understand the concept of corruption?*
- *Have you ever encountered any manifestations of corruption and what can you cite?*
- *Why is it important to report cases of corruption?*

PRESENTATION FOR THE LESSON:

LEARNING THE MATERIAL (15 MIN)

What is corruption?

Corruption is a negative social phenomenon that manifests itself in the criminal use of their rights and official opportunities by officials, public and political figures for the purpose of personal enrichment.

Corruption can manifest itself in various situations. Here are some examples where bribes or other «gifts» are given for a specific purpose:

- Compensation in the field of health and education. Often, patients or students «thank» doctors or teachers in hospitals and universities, taking this as a sign of appreciation or recognition of hard work. This type of corruption is sometimes justified by the need to compensate for the low salaries of employees in these industries.
- A means of avoiding liability. In cases where people break the law and are prosecuted by law enforcement or the court, they may try to avoid punishment by using bribes.

- Overcoming bureaucratic obstacles. Some citizens try to speed up certain procedures by paying bribes, which saves time and resolves the issue faster.
- Getting business benefits. When entrepreneurs want to gain access to public resources or win a tender, they can pay bribes, bypassing competitive procedures and gaining advantages over other participants.

What types of corruption exist?

Corruption can manifest itself in various forms, depending on the context in which it occurs, as well as on the scale and organization of actions. Among the forms, the main ones are distinguished:

1. Bribery is the most common form of corruption, which consists in receiving or providing illegal payments or other material benefits for performing or failing to perform any action within the limits of official duties. This can be a small bribe (for example, for a «quick help» in a situation where there is a legal order) or huge sums transferred for important political or economic decisions.
2. Abuse of official position is the use of official or service powers for gaining benefits. In particular, it may be making decisions in favor of personal interests or the interests of third parties, and not in favor of society or an organization.
3. Undue influence is a form of corruption where individuals, businessmen, or even foreign governments try to influence decision-making in government agencies by bribing or lobbying their interests.
4. Conflict of interest — cases when an official makes decisions that are directly or indirectly related to his personal interests or the interests of his family members, which may lead to a tendency to bias or undue benefit.
5. Fraud — illegal or deceptive actions related to obtaining funds or resources through manipulation or falsification, which may be related to government contracts or other areas where the authorities have influence.
6. Lobbying, lobbyism (English lobbying, lobbyism government relations, public affairs, public advocacy) — purposeful legal or illegal influence on state and local government bodies, as well as on their officials, directed at them on behalf of another person, organization or group.

INTERACTION

1. The game «Associations» (Forms and types of corruption)

The goal of the game is to help students better recognize and understand various forms of corruption through interactive examples.

Game rules:

1. Various illustrations and short descriptions will appear on the screen in turn, depicting scenes of corruption activities or their potential consequences.
2. Each illustration will correspond to a certain type of corruption, for example: bribery, abuse of office, avoidance of responsibility, etc.
3. The task of students is to determine what type of corruption the situation in the image belongs to, and briefly explain why.

Illustration 1: The doctor to whom the patient gives a «thank you» in the form of an envelope with money. What is the name of this form of corruption? Why do people resort to such actions?

Answer: In this case, when money or other material values are transferred to a doctor for performing his professional duties, this is considered bribery. People may resort to giving bribes for several reasons:

1) Distrust of the healthcare system. Patients may believe that without «gratitude» they will receive less high-quality treatment.

2) The desire to get priority. People tend to speed up the provision of medical services or get additional attention from a doctor.

4) Social stereotypes. The habit of paying bribes is sometimes perceived as the norm, especially if this practice is common in a particular environment.

5) Lack of information. Patients may not know that such actions are illegal.

Illustration 2: A businessman who tries to circumvent the tender procedure by negotiating an exclusive contract with an official. What kind of corruption is depicted here? How can this affect fair competition?

Answer. Usually, such actions are classified as abuse of official position, as well as obtaining illegal benefits (Article 368 of the Criminal Code. This practice leads to the spread of unfair competition, and thus it leads not only to a violation of the principle of equal opportunities for all tender participants, but also to a deterioration in the quality of goods or services, since the choice of a supplier is not based on their professionalism or the price and quality of services provided, but on personal agreements. When such schemes become widespread, citizens begin to believe that all officials are corrupt, and as a result, this leads to a decrease in citizens' confidence in state institutions. Another consequence is the stagnation of the economy, due to the lack of fair competition, which hinders the development of small and medium — sized businesses. This practice also affects the efficiency of using public funds, because:

First, since such contracts are often concluded at inflated prices, this leads to overpayments for services and goods;

Secondly, if the contract is guaranteed to be received, then there is no incentive to ensure the quality of work performed;

Third, in such cases, public funds are directed not to meet the needs of society, but to satisfy the selfish interests of certain individuals.

Illustration 3: A driver who transfers money to a police officer to avoid a fine for violating traffic rules. Do you think this is corruption? Why? What motives can motivate the driver and police officer to commit such actions?

Answer. It is clear that these actions are a manifestation of corruption. Transferring money to a police officer to avoid a fine for violating traffic rules is bribery. In this situation, the police officer abuses his official position, and the driver seeks to avoid responsibility for the offense. These actions fall under the definition of corruption, since we are talking about obtaining illegal benefits. The motives that encourage the driver to bribe the police officer are the desire to avoid a fine, which can be significant, as well as the fear of losing the driver's license or accumulating penalty points. For a police officer, the motive that encourages him to take a bribe from the driver is the desire to get additional income, and thereby improve his financial situation. Such corruption offenses negatively affect the level of road safety. After all, if drivers stop being afraid of the consequences of violating traffic rules, when they know that they can «pay off», then such actions lead to an increase in the number of traffic violations, and an increase in the number of accidents. Also, such corruption offenses cause a decrease in the authority of the police among citizens.

Causes of corruption:

1. Political:

- Lack of proper control and transparency in the work of state bodies.
- Weak political institutions, insufficient accountability of the authorities.

2. Economic:

- Low salaries, which encourages the search for additional earnings.
- High levels of unemployment and poverty.
- A large amount of cash flows that go through government agencies, without sufficient control.

3. Legal:

- Imperfect legislation and gaps in legal regulations that can be exploited for personal gain.
- Insufficiently harsh penalties for corruption offenses.
- Lack of adequate legal protection for whistleblowers of corruption.

4. Organizational and managerial:

- Inefficiency of the public administration system.
- Insufficient level of automation and digitalization, which makes it possible for manipulation.
- weak system of control over the use of budget funds.

5. Socio-psychological:

- Tolerant attitude of society to corruption as a normal phenomenon.
- Low level of culture of integrity and legal awareness.

Corruption often helps to quickly «solve» certain problems, get better service, speed up obtaining permits, or resolve disputes in your favor. But we are all well aware that every bribe, even a small one, is a brick that strengthens the fortress of corruption, which ultimately destroys our democratic society, does not allow us to use our rights and opportunities, even to fulfill our dreams.

Anti-corruption legislation

To understand where to file a complaint about a corruption offense , you need to know how this issue is regulated in the legislation. The law defines specific institutions and procedures for reporting such cases, and knowledge of this process helps ensure that the appeal reaches the appropriate authority.

The main laws and programs aimed at combating corruption include:

1. **Law of Ukraine «On Prevention of Corruption».** This law contains a direct definition of corruption, and also regulates the activities of bodies such as the National Agency for Corruption Prevention (NACP), and sets rules regarding conflicts of interest, restrictions on gifts for officials and financial control.
2. **Criminal Code of Ukraine** – defines penalties for corruption offenses, such as bribery, tampering and provocation of bribing. It provides for fines and possible imprisonment for persons **who commit corrupt acts.**

3. **The Law of Ukraine «On Purification of Power»** which defines a corruption offense as a basis for purging state authorities of persons who took part in corruption actions. This is one of the acts used to prevent corruption in the public service.

4. **Law of Ukraine «On State Service»,** which defines the responsibilities of civil servants and mechanisms for preventing corruption among them.

Who can report a corruption offense?

Any person (Ukrainian, foreigner or stateless person) who has become aware of information about a corruption or corruption-related offense can report it on the Whistleblower Message Portal. Such messages can be sent to law enforcement agencies or specialized agencies, such as the NACP or NABU.

The legislation of Ukraine distinguishes between applicants and whistleblowers. What's the difference?

Anyone can report corruption if they are convinced that their information is reliable. But not always the one who reported corruption is a whistleblower.

A whistleblower is a person who has reported a corruption offense under certain conditions:

1. Source of information. The whistleblower learns about violations during their work, study, social or other activities.
2. Actual data. The whistleblower provides specific, verified information, such as the place, time, and person who committed the offense.
3. Correct message method. The whistleblower uses legal methods to present information.

If at least one of these conditions is not met, the person is considered an applicant, not a whistleblower.

There is a Unified message portal for whistleblowers. This is a high-security system that allows you to securely transmit, store and track information about corruption, as well as the status of whistleblowers and the results of reviewing their messages.

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So, where to apply if the fact of committing a corruption offense has become known?

National Anti-Corruption Bureau of Ukraine (NABU)

When to apply: If corruption concerns persons under investigation by the NABU, and the number of losses or the subject of crime exceeds 500 minimum wages.

How to report:

- Phone: 0-800-213-200
- By post: Kyiv, 3, Denys Monastyrskyi Str.
- Personally: NABU reception, Denys Monastyrskyi Str., Kyiv
- Email: povidomlennia_zvernennia@nabu.gov.ua
- Online: via the form on NABU website

National Agency for Corruption Prevention (NACP)

When to apply: If the Law «On Prevention of Corruption» in the field of financial control, conflicts of interest, political parties and other requirements for anti-corruption activities are violated.

How to report:

- Phone: +38 (044) 200-06-91
- Email: anticor_reports@nazk.gov.ua
- Online: via the form on the NACP website

National Police of Ukraine

When to apply: If corruption has signs of a criminal offense, which is under investigation by the National Police.

How to report:

- Phone: 102
- In person: at the police station at the place of the offense

State Bureau of Investigation

When to apply: if corruption crimes were committed by senior officials, for example, the president of Ukraine, whose powers have been terminated; a member of the Central Election Commission; a people's deputy of Ukraine; the Commissioner for Human Rights of Verkhovna Rada of Ukraine, etc.

How to report:

- Online: via the form on the SBI website
- Email: info@dbr.gov.ua
- Phone number: +38 (044) 300 27 07

Other bodies and organizations that can be informed about corruption

Authorized divisions for the prevention and detection of corruption of state authorities — if the corruption offense concerns officials or officials working in government bodies;

Heads of enterprises, institutions, organizations, regardless of their subordination and form of ownership, if a corruption offense concerns employees of these enterprises. In this case, please note that the effectiveness of such messages may be quite low. It is recommended to contact law enforcement agencies in parallel.

Public organizations specializing in detecting and combating corruption, and investigative journalists.

Contact information of some public organizations and journalists:

- Schemes Program
- Nashi Hroshi Project
- Investigative journalism agency «Slidstvo info»
- Movement CHESNO
- Institute for regional press development

What is the responsibility for false reports about a corruption or corruption-related offense?

The whistleblower must pay close attention to the information he reports and remember that he provides the information at his own discretion and responsibility. The whistleblower must be reasonably convinced that the information he reports is reliable. Otherwise, he will not be granted state protection, including if he has not made an effort to verify the accuracy of the information, having such an opportunity. Deliberately false reporting of a crime committed by a whistleblower is punishable in accordance with the current legislation of Ukraine.

A deliberately false message is punished by:

- Correctional labor up to 2 years, or
- Arrest for up to 6 months, or
- Restriction of liberty for up to 3 years, or
- Imprisonment of up to 2 years

What is the reward for reporting a corruption offense?

The possibility of rewarding corruption whistleblowers was introduced in 2019. According to the law, a whistleblower can receive 10% of the monetary amount of the subject of a corruption crime or the amount of damage caused to the state from the crime after the court's guilty verdict is passed. However, the amount of remuneration may not exceed three thousand minimum wages established at the time of the crime.

GENERALIZATION AND SYSTEMATIZATION OF KNOWLEDGE (10 MIN)

Exercise « Where to apply?»

Prepare a list of bodies where you can file an application for a corruption offense (NABU, police). Typical corruption situations appear on the screen in turn, and students must name the appropriate body to contact.

Situation 1. The deputy of the City Council demands a bribe for the provision of services.

A local entrepreneur decided to build a new store on the territory of a former field that has not been used for a long time. To do this, he needed to get permission from the local council. However, after submitting all the documents, he learned that the issue could drag on for several months due to bureaucratic obstacles. Once a deputy of the City Council called him and offered a «quick» solution to the issue, hinting at the necessary «contribution» of 50,000 UAH for speeding up the process.

Which body should we contact in this situation?

Answer.

NABU, as it investigates corruption crimes at a high level, in particular, with the participation of deputies of regional and city councils, judges and other officials of state and municipal enterprises. NABU also deals with cases where the amount of a bribe or damage is 500 or more times higher than the minimum wage established at the time of the crime.

Situation 2. The citizen was driving home when a policeman stopped him on the road. The police officer stated that he violated traffic rules by exceeding the specified speed limit. However, instead of formalizing an administrative offense, the police officer began to hint that the issue could be «resolved peacefully.» He suggested the citizen not to draw up a protocol and not write out a fine on him if he gives him a certain amount of money, namely 800 UAH, in order to «solve» everything.

Which body should we contact in this situation?

Answer.

Apply to the State Bureau of Investigation, because the investigation of corruption offenses committed by law enforcement officers falls under the jurisdiction of the State Bureau of Investigation.

Situation 3. Iryna, a public activist, accidentally found out that one of the local political parties receives funding from dubious sources. It turned out that the party did not declare in the budget reports large amounts of money received from individuals whose names are not included in the official register of donors. In addition, Iryna noted that the party actively uses these funds for the purchase of expensive goods, in particular computer equipment and advertising services, but does not provide any documents confirming these expenses.

Which body should we contact in this situation?

Answer.

You should contact the NACP, which checks the electronic declarations of officials (presidents, deputies, judges, prosecutors, civil servants) for accuracy and analyzes their financial condition to identify corruption risks. NACP also assesses corruption risks in government bodies, develops recommendations and coordinates National Anti-Corruption Strategy. The agency monitors compliance with political party funding requirements by checking funding sources and reporting revenues and expenditures.

THE GAME «FIGHT AGAINST CORRUPTION»

Goal of the game

Raise awareness of participants about the types of corruption actions and their consequences. Players in teams recognize types of corruption and respond quickly to situations to «expose» violators. The game is aimed at developing teamwork skills and knowledge about anti-corruption measures.

Preparing for the game:

1. **Number of players:** From 4 to 20 people divided into 4 teams (1-5 people in each team).
2. **Complete set of the game:**

- **Cards with corruption situations:** Each card describes a specific corruption situation (for example, bribery, abuse of power, bribing, embezzlement).
- **Cards with types of corruption:** Cards with the names of types of corruption acts (for example, «Bribery», «Tampering», «Abuse of power»).
- **Timer:** Used to track the time required to complete tasks..

Game rules:

1. **1Division into teams:** Players are divided into 4 teams. Each team receives the same number of cards with the types of corruption acts.
2. **Presenter (or judge):** One moderator plays the role of a judge who distributes cards with corruption situations and evaluates the correctness of answers.
3. **Game progress:**
   - Each team is given a task in turn — 12 cards with a description of the corruption situation and 12 cards with types of corruption are distributed.
   - The team must quickly identify what the act is and find a suitable card with the type of corruption from their set.
   - If the team correctly and quickly indicates the type of corruption, it gets a point.
   - At the end of the game, the number of correct answers in each team is checked.
4. **Time limit:** Each team has 5 minutes to make a decision and present their cards.

Examples of corruption situations and types of corruption:

1. **Situation card:** «The official offers the businessman to issue a construction permit for a monetary reward.»
   - **Correct type:** Bribe.
2. **Situation card:** «The manager of a government agency uses an official car for personal trips.»
   - **Correct type:** Abuse of power.
3. **Situation card:** «An employee of the procurement commission receives gifts from suppliers for choosing their products for a government agency.»
   - **Correct type:** Tampering.
4. **Situation card:** «The school principal requires parents to hand over funds for repairs, although funding for repairs has already been allocated.»
   - **Correct type:** Plundering.
5. **Situation card:** «The head of the company overestimates the number of hours worked by employees on a government contract in order to get higher payment.»
   - **Correct type:** Fraud.
6. **Situation card:** «The mayor of the city grants his friends a construction permit in the historical part of the city, violating legal restrictions.»
   - **Correct type:** Abuse of power.
7. **Situation card:** «A representative of a pharmaceutical company gives valuable gifts to a doctor to prescribe his drugs to patients.»
   - **Correct type:** Tampering.
8. **Situation card:** «The accountant of a state-owned enterprise appropriates funds intended for the purchase of materials, transferring them to his account.»
   - **Correct type:** Plundering.
9. **Situation card:** «The traffic police inspector offers the driver to solve the issue of violating traffic rules for a certain amount of money without drawing up a protocol.»
   - **Correct type:** Bribery.
10. **Situation card:** «The contractor company provides forged documents about the work performed in order to receive additional payments for the project.»
    - **Correct type:** Fraud.
11. **Situation card:** «The judge makes a decision in favor of the company where his relative works.»
    - **Correct type:** Conflict of interest.
12. **Situation card:** «A warehouse employee in a state institution regularly appropriates some of the products stored in the warehouse.»
    - **Correct type:** Plundering.

Winning and completing the game:

Completion: The game ends when all situation cards are played and answers are checked.

Winning: The team with the highest score for correct answers is declared the winner.

LESSON REFLECTION (5 MIN)

1. Discussion of students' impressions. What was new? What was the most interesting part?
2. Reflective sheet. We invite students to write down one new concept that they have learned today, and how they can use this information in life.
3. Final word. Summing up the lesson results and reminding of the importance of citizenship.

Conclusion to the lesson

Today we have reviewed what corruption is, what types of corruption exist, and why it is a negative phenomenon for society. We learned about the main causes of corruption, as well as became acquainted with the anti-corruption legislation.

Special attention was paid to the issues of how to act in case of detection of a corruption offense. We discussed where to apply, which government agencies are investigating such offenses, and how to properly submit an application. An important aspect was understanding the role of whistleblowers in exposing corruption and their rights.

Thus, we not only gained theoretical knowledge about corruption, but also learned practical skills in submitting an application and applying to the relevant authorities. This knowledge is important for forming an active civic position and understanding our responsibility to society in combating corruption.

LESSON ANNEXES: