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MEANS TO FIGHT POLICE CORRUPTION – THE APPROACHES OF UKRAINE AND LITHUANIA

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According to Transparency international data for 2016 Corruption perception index Ukraine is considered to take the 131th place in the World ranking [1]. Scoring 29 points Ukraine is just below such countries as Russia, Nepal and Iran. One of key considerations while developing the worldwide transparency map are plagued by untrustworthy and badly functioning public institutions like the police and judiciary. So one of the key elements having such a negative impact on the Country is considered to be the LEAs corruption, mostly the public opinion is being based on the most common LEAs to be approached – the Police. Developing the most effective methods to increase Police work transparency is the main concern for the Governments Worldwide. Due to the different traditions, political, economic, geographical backgrounds and history, different approaches are being used to tackle the negative phenomenon – Police corruption.

While trying to consider the approaches and identify the most efficient methods to tackle the corruption we will proceed with a short comparative analysis while comparing the past few years and decisions made to tackle Police corruption in Lithuania and Ukraine. Lithuania according to the same Transparency international Transparency International data is ranked No. 38. While analyzing the possible approaches to reduce the Police corruption from the perspective of Ukraine, firstly we have to mention that after the Maidan events in 2014 with the political will of the Government of Ukraine and support of external actors few possible attempts to prevent corruption both on high level were made – the establishment of National Anti-Corruption Bureau of Ukraine (NABU) [2] and the replaced the highly corrupt known traffic police officers with the brand new American trained Patrol police officers [3], dismantling the Organized Crime Fighting Units (UBOP/UBOZ).

While narrowing to the decisions made within National Police of Ukraine (NPU) the most visible step was the creation of mentioned Patrol Police. The primary goal of the initiative was to change from the routes the police inner mentality and the public approach/opinion towards this institution and most important – to cut out the corruption. Thus it boosted public trust in Police in the first stages, the corruption issue remained at least on the same level in Police structure in other units who were operating within the MoIA. Illustrating with the simple example: while the new Patrol police officers, while having received a training just for a few months, received at least two times bigger salary (approximately 400 against 200 dol-

lars), than the least fortunate units within the same system. Presumable reasons lead to common dissatisfaction and hatred towards the new Patrol police on behalf of their colleagues in other departments, resulting theoretically even increase corruption level. All in all corruption in the Police was one of the main reasons for the Head of National Police to resign in November 2016 – she regretted that “she has failed to fight corruption and avoid losses among the policemen” [4]. The level of corruption within the police showed that it needed to have a more comprehensive approach in order to have some real changes.

To consider familiar ways to tackle corruption, let's analyze Lithuanian police experience through the same perspective. As a country also previously being part of the former the Soviet Union, the Lithuania shared familiar experiences concerning police or so called *Milicya* corruption that was highly visible even in the early 90'ies. Worth mentioning that while entering the European Union Community in 2004 less than 50 % Lithuanian citizens did trust the police, while in 2016 the trust in the Police rate reached already 71 %, while putting this institution just below the trust in church 72 % and considerably above trust in the Military 67 % [5]. While considering to find the backgrounds for such positive dynamics in the trust we could analyze the possible reasons for such improvement. Firstly the most important step was the creation of so-called Immunity Units within the police system. The Units were created due to the reason to get rid of illegal cover the crimes, abuse of service and alcohol problems within the Police [6]. The Police Department has set up the Immunity Unit that with also had task to protect police officers themselves so that they would not be illegally influenced on their duty, to investigate possible violations and crimes of the police personnel. The unit will carry out operational/intelligence activities and pre-trial investigations. Great attention was paid to the corruption prevention and elimination of corruption causes, also to the corruption risk evaluation and its reduction. The Units were set up around Lithuania, under direct supervision of District Police HQ Chiefs and subordination on the central level of the Police Department. Officers for such units were recruited from within the ranks of experienced criminal investigators which had to overpass the strict transparency procedures, some of them even included Polygraph. The first few operational years of new operational Immunity units had very hard times – constant collisions with other Police units, hatred and dissatisfaction made the first steps considerably difficult. The other issue

was, that the Immunity Units under the direct command of the Chiefs of District Police, being also dependable on the supplies and salaries which gave a possibility to negatively influence the output of such Units. The last mentioned issue is being reformed and changed, putting the subordination only to National level. So, even due to numerous difficulties in the first stage but having the Political will and support from the Heads of Police and the MoIA level, Immunity Units showed significant results. As a result numerous of corruption related cases were initiated and were publicly openly discussed about. Police acknowledged to have a problem within the system and openness to show not only the means to tackle the corruption but to share the real cases also. This risky decision could result the public trust towards the Police to decrease, especially while the "dirty uniform" cases were public, but as a result both the public and the media appreciated to have the "public secret" about the corruption to be not a secret anymore – the first step towards getting better is acknowledgement to have a disease. While Immunity Units had their hands free to investigate police corruption, other Police units were showing increased efficiency also. This resulted the huge increase of bribery cases within the Traffic Police – from 385 cases in 2011 to 896 cases in 2014 [7] – (approx. 3mln citizens in Lithuania and about 10 000 police officers [8]). The possible reason for this is not the increased number of persons who are bribing the traffic police officers, but the fact that the officers no longer ignored the bribe proposals because of fear to lose their jobs and officially registered any attempts to bribe them – so, police have changed but the public attitude to solve problems towards bribery did not. Monitoring later bribery occurrence and cases in 2016 we see that the level of bribery has decreased again to 471 cases, presumably meaning that the both transparency of the police and the public attitude towards them has changed to the positive side. Monitoring the example we can consider that other approaches to solve corruption other than just physically dismantling Traffic Police in Ukraine were also possible, while keeping the capacities and not running into another issues – traffic safety, vehicle thefts and etc. Due to the fact that public/uniformed police is the most visible LEAs branch, the positive changes resulted the biggest impact towards corruption prevention, even though some serious resonant cases were initiated within high ranking Lithuanian Criminal Police branch – one corrupt District branch of Organized Crime Fighting Unit (Ukraine UBOP analogue) officers were prosecuted under suspicion of forming an organized criminal group [9].

Since the strong anti-corruption body was established within the Lithuanian Police further steps were considered – establishment the Community Policing Unit within the Police Prevention Units all around country – with the main aim not to punish but to include as many community members as possible to help perform their duties and together with the public to

share the responsibility ensuring enhanced safety within their places of residency, work and other related areas of their presence. Community Policing officers met the members of communities, listened to their concerns and coordinated the Police force according to the citizens' needs, while doing so they were narrowing the gap between the community and police, which was still present from the soviet times and was related to corruption as a consequence. So shortly, the decisions to establish community policing officers and the Immunity divisions were the main reasons to raise the main index of valuation of Police work – people's trust, which is very closely related to transparency.

Ukraine's step to tackle the corruption in general while establishing NABU is considered a great success, but while performing investigations on High ranking official on National level it did not cover the Police. The inner NPU Anti-corruption units (internal security – VB) were not reformed in general, lack of political will and support, lack of investigative rights (pro-active units can not initiate pre-trial investigations themselves). VB units even subordinated directly to Kiev, depended on supplies, premises from Oblast Police level which give the opportunity to influence their performance. Secondly, lack of honest open discussions with the members of society, no considerable cases were present related to Police corruption with Police initiative, possibly resulted that stagnation of the progress in this area. Another attempt to get rid of the corruption elements was made during police re-attestations in 2015, but it did not show considerable results and was acknowledged as a failure by former Head of NPU Khatia Dekanoidze. The face of the new uncorrupt NPU is holding on the performance of the mentioned Patrol Police officers' shoulders while Ukraine Police awaits more in-depth decisions and political will to fight the corruption within the levels of Police.

Concluding the future possible approaches to fight the corruption within the NPU system Ukraine and according to the Lithuanian Police experience mentioned above, it is possible to consider few possible solutions to enhance transparency: acknowledgment of police corruption on the highest level of NPU and political support to solve it. Open discussions, publication of corruption-related cases, and community involvement in finding the most effective decisions. Consider possibility to establish community policing officers for closing the gap between the community and Police. Enhancing or in general reforming the VB units, giving them power to initiate pre-trial investigations and cutting them from the dependability of supplies from the Oblast level NPU. Strict, comprehensive recruitment for VB officers in close cooperation with NABU and other related anti-corruption services. Consider that part of the VB officers together with members of Academia would have responsibility to start preventative anti-corruption campaigns within the NPU system with the education programs to change the negative remaining corrupted mentality.

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