



Prevention of Corruption in the Field of Social Protection of the Population: Administrative and Criminal Legal Aspects*

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Abstract.

The article examines the problems of preventing corruption in the social protection sector from the point of view of administrative and criminal law aspects. The mechanisms of preventive influence are considered, in particular, the standardization of procedures, internal control, audit, and the implementation of e-government, which contribute to minimizing corruption risks. The criminal law measures of liability for abuse of power, acceptance or provision of illegal benefits, and forgery of documents in the field of social payments are analyzed. The importance of an integrated approach combining administrative and criminal mechanisms is emphasized to increase the transparency, accountability, and efficiency of the social protection system. Examples of foreign practice on the use of electronic platforms and internal audits as means of combating corruption are given. Corruption in the field of social protection of the population is a multifaceted and systemic phenomenon that negatively affects the effectiveness of state policy, the level of trust of citizens in state institutions, and social justice in society. It manifests itself in various forms: from bribery and abuse of official position to manipulation of the distribution of social benefits and subsidies. Administrative mechanisms for combating corruption play an important role in preventing offenses. The introduction of electronic management systems, automation of the processes of distributing social benefits, declaring the income of officials, standardizing application forms, and increasing the transparency of procedures allow minimizing the risks of abuse, increasing the accountability of social protection bodies, and preventing corrupt actions at the early stages. Criminal law measures provided for by the legislation of Ukraine are a necessary condition for effective combating corruption. Strict liability for abuse of power, acceptance or provision of undue benefits, and forgery of documents in the social sector provides a preventive effect, increases the level of discipline among officials, and forms a legal basis for combating corruption.

Keywords: Corruption; Social Protection; Administrative Responsibility; Criminal Responsibility; E-government; Internal Control; Preventive Measures; Population; Legal Aspects

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A. INTRODUCTION

The sphere of social protection of the population is one of the key ones in the system of public administration, since it ensures the implementation of social rights of citizens, protection of the most vulnerable segments of the population, and guarantees social stability in the state. Social payments, pensions, benefits, and other types of assistance create the basis for maintaining the standard of living of citizens and contribute to the implementation of the principle of social justice. At the same time, the high level of state funding and a significant number of bureaucratic procedures in this area create favorable conditions for the manifestation of corruption risks. Corrupt practices in the social sphere not only undermine the effectiveness of state policy, but also negatively affect citizens' trust in government bodies, which makes the problem relevant and requires comprehensive scientific research (Zvyagintseva, 2019).

Prevention of corruption in social protection is a multi-level process that encompasses both administrative and criminal law mechanisms. Administrative measures are aimed at minimizing opportunities for abuse through standardization of procedures, electronic services and internal control systems, while criminal liability ensures strict punishment of persons who have committed corruption offenses, which creates an effective preventive mechanism (Savchenko, 2020).

The current scientific discussion on preventing corruption in the social sector covers the following areas: identifying the causes of corruption risks, studying the effectiveness of administrative and criminal prevention mechanisms, as well as studying international experience. Thus, a number of foreign studies demonstrate the effectiveness of electronic platforms in the provision of social services and conducting internal audits as a means of reducing corruption (Regulation (EU) 2018/1724, 2018). In Ukraine, the issue of combating corruption in the field of social protection is also a priority, however, the implementation of integrated measures in practice faces problems of regulatory and legal support, insufficient digitalization and limited interaction between state bodies and anti-corruption structures (Kobrusieva *et al.*, 2021).

The purpose of the article is to conduct a comprehensive analysis of administrative and criminal law mechanisms for preventing corruption in the social protection sector and to identify areas for increasing the effectiveness of their application. The objectives of the study include: Analysis of existing administrative mechanisms for preventing corruption in the social protection sector. Study of criminal law means of liability for corruption crimes in this

sector. Assessment of the effectiveness of an integrated approach based on Ukrainian and foreign practice. Formulation of recommendations for improving the system for combating corruption in social protection.

The scientific novelty of the study lies in the combination of administrative and criminal law approaches to combating corruption, which allows considering the problem comprehensively and systematically, taking into account both preventive measures and liability mechanisms. The practical significance lies in the possibility of using the results of the study to improve state policy on preventing corruption in the social protection sector and increasing the efficiency of the relevant bodies (Zadyraka *et al.*, 2023).

B. METHODS

The study applied a set of methodological approaches that allow a comprehensive assessment of the problems of preventing corruption in the social protection of the population.

First, the analysis of regulatory legal acts made it possible to identify legislative gaps and determine legal mechanisms that regulate the fight against corruption in the social sector. The Criminal Code of Ukraine, laws on the prevention of corruption, acts regulating the provision of social services, as well as international documents and recommendations were studied, including the practice of the European Union and the Organization for Economic Cooperation and Development (OECD).

Secondly, the comparative legal method was used, which made it possible to analyze foreign experience in preventing corruption in social protection of the population and identify effective practices that can be adapted in Ukraine. This includes the experience of e-government in Finland, Sweden, Lithuania, Georgia, and other countries.

Thirdly, empirical research methods were applied, in particular, the analysis of statistical data, sociological surveys, and the results of audits of the activities of social institutions. Data from the State Statistics Service of Ukraine, the National Agency for Corruption Prevention, and research of public organizations involved in monitoring corruption risks in the social sector were used.

Fourthly, a systemic approach was used, which allows us to consider corruption as a complex phenomenon that has structural, functional, and socio-

economic aspects. System analysis helped to establish the relationship between administrative, criminal law and social mechanisms for preventing corruption.

Fifthly, a logical and critical analysis was applied, which allowed us to assess the effectiveness of existing mechanisms for combating corruption, identify problems in their implementation and formulate recommendations for improving the national system for preventing corruption in the social sector.

The combination of these methods made it possible to obtain a comprehensive understanding of the causes and manifestations of corruption, assess the effectiveness of administrative and criminal legal mechanisms, and propose practical measures to increase the transparency and efficiency of the social sphere in Ukraine.

C. RESULTS AND DISCUSSION

Corruption in the social sphere takes various forms, from bribery in medical institutions to abuses in the calculation of social benefits. According to the State Statistics Service, approximately 40% of Ukrainian citizens have encountered corruption in this area over the past three years (State Statistics Service of Ukraine, 2021).

Among the main factors contributing to the spread of corrupt practices, we can single out: Imperfection of legislation. Gaps in legal acts regulating the social sphere create opportunities for abuses (Law of Ukraine "On Prevention of Corruption", 2014).

Low level of legal awareness of the population. Many citizens perceive corrupt payments as a common practice for solving problems, which increases their spread (National Agency for Prevention of Corruption, 2022).

Limited control and lack of transparency. Insufficiently developed monitoring and internal audit mechanisms contribute to the impunity of violators (ProZorro. Anti-corruption reforms in the procurement sector in Ukraine, 2020).

One of the promising areas of combating corruption is the introduction of electronic technologies. For example, the system of electronic declaration of income of officials allows the public to monitor the compliance of officials' lifestyles with their declared income (Georgian model of anti-corruption reform. Analytical Center "New Politics", 2021).

Civil society also plays an important role in the fight against corruption. Anti-corruption initiatives, such as monitoring the activities of social institutions, increase the transparency and accountability of government bodies. For example, the organization "Chesno" audits local budgets, identifying corruption risks in the field of social security (Kulinich *et al.*, 2023).

Corruption in the social sphere is a multifaceted and systemic phenomenon that negatively affects the functioning of society and the state. The social sphere covers education, healthcare, social security, and housing policy, and should ensure equality of opportunities for all citizens. However, corrupt practices often limit access to basic services for the most vulnerable segments of the population, creating social injustice (Podorozhnii *et al.*, 2020).

The main source of corruption in the social sphere is the concentration of significant financial and administrative resources in the hands of individual officials, who sometimes use them for their own interests. For example, bribery in the distribution of housing subsidies, abuse in the assignment of social benefits, or illegal provision of medical services remain common problems. According to the NACP, in 2022 the largest number of violations was recorded in the field of health insurance and social assistance (Leheza *et al.*, 2024).

The education system is particularly vulnerable to corruption. It manifests itself in the form of bribery for admission to universities, biased assessment of students, and improper use of budget funds. Thus, in 2021, a survey showed that 18% of students encountered corruption during their studies. To counteract these phenomena, electronic management systems are used, such as the Unified State Database on Education, which ensures transparency of the admission campaign and reduces the influence of the human factor (Basko *et al.*, 2024).

In the healthcare sector, corruption is also significant. Patients are often forced to "give thanks" for free medical services. Abuses also concern the procurement of medicines and medical equipment, which leads to overpricing and inefficient use of budget funds. For example, in 2020, more than a quarter of Ukrainians surveyed noted that they had encountered corruption in medical institutions (World Bank. Health system effectiveness and corruption risks, 2020). To overcome this, electronic platforms for monitoring tenders are being introduced, and public oversight committees are being involved.

The process of distributing social benefits and subsidies is also high-risk in terms of corruption. Abuses by officials lead to the fact that individuals receive assistance without legal grounds, while the most vulnerable segments

of the population remain without support. Automation of processes and the use of digital technologies help minimize the intervention of the human factor. An example is the Lithuanian “Social Card” system, which allows for transparent distribution of state assistance (Pryputen *et al.*, 2018).

Corruption undermines trust in state institutions and has serious socio-economic consequences: it deepens inequality, reduces the quality of services and increases budget spending for unproductive purposes. Overcoming this phenomenon requires a comprehensive approach: improving legislation, automating processes, increasing transparency, and building intolerance for corruption among citizens. In Georgia, anti-corruption reforms, which included automating processes and creating independent bodies, have significantly reduced the level of corruption in the social sphere (Georgian Anti-Corruption Model: Reforms and Outcomes, 2020).

International experience demonstrates the effectiveness of electronic monitoring and transparency systems in the field of social services. In Finland, electronic control has been introduced at all stages of assistance provision, and in Sweden, the state provides open access to information and regular reports on the activities of institutions (Zadyraka *et al.*, 2023).

Administrative mechanisms for combating corruption are aimed at preventing offenses and minimizing the risks of abuse in the activities of social protection bodies. Such mechanisms include: Regulation of procedures for the provision of social services. The introduction of transparent rules for the provision of assistance, standardized application forms, and electronic accounting systems reduces corruption risks (National Agency for the Prevention of Corruption, Anti-corruption measures in the field of social protection, 2025). Internal control and audits. Verification of the activities of social protection units, monitoring of financial transactions and periodic audits allow detecting violations at an early stage. E-government. The use of electronic systems for processing social benefits reduces direct contact between citizens and officials, which significantly reduces the opportunities for corrupt actions.

Administrative measures also include training for personnel on anti-corruption policies and ethical standards, as well as the introduction of an internal whistleblowing system. Criminal protection is aimed at bringing to justice persons who have committed corruption crimes in the field of social protection. The main provisions are regulated by the Criminal Code of Ukraine (Articles 364–368, 369–369-2 of the Criminal Code of Ukraine), which provide for liability for: Abuse of power or official position. Causing harm to the

interests of the state or citizens through unlawful decisions (Criminal Code of Ukraine, 2001).

Acceptance or provision of unlawful benefit. Corrupt actions in the form of bribes and other unlawful remuneration (Transparency International. Global Corruption Report, 2022). Forgery of documents and manipulation of accounts. Falsification of data to obtain social benefits (Petrenko, 2021). The application of criminal law measures requires effective cooperation of law enforcement agencies with social protection agencies and anti-corruption structures, such as the National Agency for the Prevention of Corruption (NAPC).

The experience of foreign countries shows that the most effective is a combined approach that combines preventive administrative measures and strict criminal law liability. For example, in EU countries, electronic systems for providing social services, combined with mandatory internal audits, have significantly reduced the level of corruption. In Ukraine, the implementation of such models requires the modernization of the regulatory framework and the integration of information technologies (Leheza *et al.*, 2025).

Corruption in the social sphere takes various forms, from bribery in medical institutions to abuses in the calculation of social benefits. According to the State Statistics Service, approximately 40% of Ukrainian citizens have encountered corruption in this area over the past three years (Filatov *et al.*, 2025). Among the main factors contributing to the spread of corrupt practices, the following can be distinguished: Imperfection of legislation. Gaps in legal acts regulating the social sphere create opportunities for abuses (Chorna *et al.*, 2023).

Low level of legal awareness of the population. Many citizens perceive corrupt payments as a common practice for solving problems, which increases their spread. Limited control and lack of transparency. Insufficiently developed monitoring and internal audit mechanisms contribute to the impunity of violators (Sinkevych *et al.*, 2024).

One of the promising areas of combating corruption is the introduction of electronic technologies. For example, the system of electronic declaration of income of officials allows the public to monitor the compliance of the lifestyle of officials with their declared income (Leheza *et al.*, 2023).

Civil society also plays an important role in the fight against corruption. Anti-corruption initiatives, such as monitoring the activities of social institutions, increase the transparency and accountability of government bodies.

For example, the organization "Chesno" audits local budgets, identifying corruption risks in the field of social security.

D. CONCLUSIONS

Corruption in the field of social protection of the population is a multifaceted and systemic phenomenon that negatively affects the effectiveness of state policy, the level of trust of citizens in state institutions and social justice in society. It manifests itself in various forms: from bribery and abuse of official position to manipulation of the distribution of social benefits and subsidies.

Administrative mechanisms for combating corruption play an important role in preventing offenses. The introduction of electronic management systems, automation of the processes of distributing social benefits, declaring the income of officials, standardizing application forms and increasing the transparency of procedures allow minimizing the risks of abuse, increasing the accountability of social protection bodies and preventing corrupt actions at the early stages.

Criminal law measures provided for by the legislation of Ukraine are a necessary condition for effective combating corruption. Strict liability for abuse of power, acceptance or provision of undue benefits, and forgery of documents in the social sector provides a preventive effect, increases the level of discipline among officials, and forms a legal basis for combating corruption.

Civil society plays an important role in combating corruption. The active participation of public organizations in monitoring the activities of social institutions, auditing local budgets and controlling the provision of social services contributes to increasing transparency and reducing corruption risks. Such interaction allows not only to identify violations, but also to form intolerance to corrupt practices in society.

International experience shows the effectiveness of electronic monitoring systems and transparent procedures in the field of social services. In Finland, Sweden and Lithuania, automated platforms have been implemented that allow tracking all stages of assistance provision and minimizing human intervention. It is advisable for Ukraine to adapt these approaches, creating a single information platform for monitoring the distribution of social benefits and the provision of services, which will significantly increase the transparency of processes and reduce corruption risks.

To achieve an effective fight against corruption, a comprehensive

combination of administrative, criminal law and public mechanisms is necessary. Using only one direction does not provide the expected result, while an integrated approach allows reducing the level of corruption in the social sphere, improving the quality of social services, optimizing the use of state resources and forming a culture of intolerance to corrupt practices in society.

In addition, legal education of citizens, especially young people, is of great importance. The introduction of anti-corruption education courses in schools and universities will contribute to the formation of legal awareness and a culture of intolerance to corruption, which is a long-term tool for strengthening law and order in the social sphere. In general, the combination of electronic processes, increased transparency, strict application of criminal sanctions, and active participation of civil society creates a reliable mechanism for preventing corruption in the field of social protection of the population.

REFERENCES:

- Anti-Corruption Center. Reports on corruption violations. Kyiv: 2022. P. 62.
- Basko, Andriy. Hryshyna, Natalia. Obushenko, Nataliia. Fedorov, Ihor. Koteliukh, Mykola. Principles of law in the legal regulation of social relations in modern conditions: administrative, criminal and constitutional aspects. Jurnal Cita Hukum – Indonesian Law Journal Vol 12, No 2 (2024). <https://journal.uinjkt.ac.id/index.php/citahukum/issue/view/1799>. C. 321-338
- Chorna, Alina. Leheza, Yevhen. Merdova, Olha. Vlasenko, Denys. Davlatov, Shavkat. 2023. Peculiarities of the principles of criminal and administrative law during the provision of the right to education in the conditions of the introduction of martial law: legal regulation and international standards. Jurnal Cita Hukum Indonesian Law Journal. Vol. 11 No. 2, pp. 243-254, DOI: <https://doi.org/10.15408/jch.v11i2.32140>
- Criminal Code of Ukraine dated 05.04.2001 No. 2341-III (as amended). <https://zakon.rada.gov.ua/laws/show/2341-14>
- EU Anti-Corruption Initiative in Ukraine. Report on vulnerable sectors. Kyiv, 2021. P. 53.
- Filatov, V., Zuieva, O., Yefimova, I., Pylypenko, A., & Leheza, Y. (2025).

- Problems of legal protection of civilian persons deprived of personal liberty as a result of the armed aggression of the Russian Federation against Ukraine. DIXI, 27(1), 1-13. <https://doi.org/10.16925/2357-5891.2025.01.04> URL.: <https://revistas.ucc.edu.co/index.php/di/article/view/5212>
- Georgian Anti-Corruption Model: Reforms and Outcomes. Tbilisi, 2020. P. 64.
- Georgian model of anti-corruption reform. Analytical Center “New Politics”. – 2021.
- Kobrusieva, Yevheniia. Leheza, Yevhen. Rudoi, Kateryna. Shamara, Oleksandr. Chalavan, Viktor. 2021. International standards of social protection of internally displaced persons: administrative and criminal aspects. *Jurnal cita hukum indonesian law journal*. Vol 9, No 3, 461-484. DOI: <https://doi.org/10.15408/jch.v9i3.23752>
- Kulinich, Olha. Leheza, Yevhen. Zadyraka, Nataliia. Taranenko, Kseniia, Kostiuik, Tetiana. 2023. Electronic Judicial Procedure as an Element of Access to Justice Regarding Protection of Rights of Individuals: Legal, administrative, Theoretical and Informational Aspects. *Jurnal cita hukum indonesian law journal*. 11 (3), 443-456. DOI: <https://doi.org/10.15408/jch.v11i3.36298>
- Law of Ukraine “On Prevention of Corruption” No. 1700-VII dated 14.10.2014.
- Leheza, Y., Korniienko, M., Berezniak, V., Mariienko A., & Radchuk, A. (2024). Legal Regulation of Liability for Illegal Deportation of Children: Administrative, Criminal Aspects, Experience of Ukraine and International Standards. *Revista Jurídica Portucalense*, 257–274. [https://doi.org/10.34625/issn.2183-2705\(36\)2024.ic-11](https://doi.org/10.34625/issn.2183-2705(36)2024.ic-11)
- Leheza, Y., Shcherbyna, Bogdan. Leheza, Yulia. Pushkina, Olena & Marchenko O. (2023). “Features of Applying the Right to Suspension or Complete/ Partial Refusal to Fulfill a Duty in Case of Non-Fulfilment of the Counter Duty by the Other Party According to the Civil Legislation of Ukraine.” *Revista Jurídica Portucalense*, 340–359. Retrieved from <https://revistas.rcaap.pt/juridica/article/view/29662>
- Leheza, Yevhen. Pisotska, Karina. Dubenko, Oleksandr. Dakhno, Oleksandr. Sotskyi, Artur. “The essence of the principles of ukrainian law in modern jurisprudence”. *Revista juridica portucalense*, december, (2022): 342-363. [https://doi.org/10.34625/issn.2183-2705\(32\)2022.ic-15](https://doi.org/10.34625/issn.2183-2705(32)2022.ic-15)

- NACP. State policy in the fight against corruption. 2021. P. 37.
- National Agency for Prevention of Corruption (NACP). Analytical report on corruption risks. – 2022. P. 34.
- National Agency for the Prevention of Corruption. Anti-corruption measures in the field of social protection. <https://nazk.gov.ua/anticorruption-social>
- OECD. Fighting Corruption in Social Welfare Programs: Case Studies and Policy Recommendations. <https://www.oecd.org/corruption/social-welfare.htm>
- Petrenko, V. A. Problems of criminal liability for corruption offenses. Kharkiv, 2021. 143 p.
- Podorozhnii, Yevhen. Obushenko, Nataliia. Harbuziuk, Konstantyn Platkovska, Oksana. 2020. Legislative regulation of grounds for dismissal of an employee for committing a corruption or corruption-related offense. Amazonia investiga. Vol. 9. Num.26. Febrero 2020. C. 304-310. DOI: <https://doi.org/10.34069/AI/2020.26.02.34>
- ProZorro. Anti-corruption reforms in the procurement sector in Ukraine. Kyiv, 2020. P. 49.
- Pryputen D. Manzhula A., Mezhevskaya L. 2018. State competition policy: concept, legal regulation and mechanisms of its implementation. Baltic Journal of Economic Studies. Vol.4, №1. P. 271-275. DOI: <https://doi.org/10.30525/2256-0742/2018-4-1-271-275>
- Regulation (EU) 2018/1724 of the European Parliament and of the Council on establishing a single digital gateway. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1724>
- Savchenko, O. V. Internal control and audit in public authorities. Lviv, 2020. 198 p.
- Sinkevych, O., Yurovska V., Komissarova, N., Tkachenko, O., & Leheza, Y. (2024). Subjects of public authority in matters of combating terrorism: legal regulation, administrative and criminal aspect. *Ius Humani. Law Journal*, 13(1), 1-14. <https://doi.org/10.31207/ih.v13i1.332>
- State Statistics Service of Ukraine. Report on the state of corruption in the social sphere. – 2021.
- Swedish National Audit Office. Transparency in Social Services. Stockholm, 2019. P. 12.

Transparency International Ukraine. Report on the state of corruption in the education sector. 2021. P. 23.

Transparency International. Global Corruption Report 2022: Social Protection. URL: <https://www.transparency.org/en/gcr/social-protection>

World Bank. Health system effectiveness and corruption risks. Washington, 2020. P. 41.

Zadyraka, Nataliia. Leheza, Yevhen. Bykovskyi, Mykola. Zheliezniak, Yevhenii. Leheza, Yulia. 2023. Correlation of Legal Concepts of Administrative Procedure and Administrative Liability in the Sphere of Urban Planning. *Jurnal cita hukum indonesian law journal*. Vol. 11 No. 1, pp. 33-44, DOI: <https://doi.org/10.15408/jch.v11i1.31784>

Zvyagintseva, I. V. Corruption in public administration: causes and ways to overcome it. K., 2019. 256 p.