**NATIONAL REPORT**

**ON CORRUPTION**

**COMBATING**

**for 2020**

Republic of Kazakhstan

city of Nur-Sultan

2021

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**INTRODUCTION**

This report has been prepared pursuant to the Decree of the President of the Republic of Kazakhstan dated December 29, 2015 No. 154 “On Approval of the Rules for Preparation, Submission and Publication of the National Report on corruption combating to the President of the Republic of Kazakhstan”.

The purpose of the document is to inform the public about the results of the implementation of the anti-corruption policy of Kazakhstan in 2020.

The report covers contribution of the authorized body, other state bodies, public associations and quasi-public sector entities to corruption combating.

The report presents the adopted legislative and practical measures on anti-corruption education, prevention of corruption, partnership with society, the inevitability of punishment, as well as proposals for further improvement of anti-corruption policy, taking into account the provisions of UN Convention against Corruption, the GRECO guidelines of the Council of Europe and OECD recommendations.

Special attention is paid to information on preventing and combating corruption during the COVID-19 pandemic and spending anti-crisis funds.

It also reflects the results of independent assessment of perception of corruption in Kazakhstan and international cooperation on anti-corruption policy.

The document is intended for a wide range of readers – civil servants, independent experts, rating agencies, public figures, scientists and other persons concerned.

**THE BODY**

**1. Criminal law statistics**

Due to systematic preventive work, the number of corruption cases registered by law enforcement and special state bodies decreased by 2.4%, compared to 2017 – by 10.6%.

*Figure 1. Dynamics of corruption crime*

*Table 1. Corruption crimes by anti-corruption subjects*

|  |  |  |  |
| --- | --- | --- | --- |
| **Subject** | **2019** | **2020** | **Dynamics**  |
| Anti-Corruption Service | 1,717 | 1,632 | -5% |
| Ministry of Internal Affairs | 269 | 342 | +27% |
| National Security Committee | 128 | 89 | -30% |
| Prosecution bodies | 65 | 78 | +20% |
| Economic Investigation Service | 21 | 21 | 0% |

*Table 2. The most common corruption crimes*

|  |  |  |  |
| --- | --- | --- | --- |
| **Crime** | **2019** | **2020** | **Dynamics**  |
| Taking bribe  | 649 | 568 | -12.5% |
| Giving bribe | 440 | 624 | +41.8% |
| Fraud | 327 | 316 | -3.3% |
| Embezzlement of the entrusted property of others | 243 | 268 | +10.3% |
| Abuse of office | 283 | 193 | -31.8% |

1,021 persons were convicted of committing corruption crimes.

According to the corruption facts registered by the Anti-Corruption Service, 722 persons were convicted, including 144 heads *(including 1 regional akim, 4 deputy regional akims, 2 executive secretaries of the ministry, 2 committee chairmen, 1 ambassador, 5 judges, and 10 district and city akims)*. 25 particularly serious and 1,368 serious crimes, 112 facts of systemic corruption were terminated.

The Agency recovered KZT 50.7 billion *(of KZT 60.1 billion of the established loss),* which was twice higher than in 2019 *(KZT 22.7 billion)*. The amount of many-fold fine for bribery and embezzlement amounted to KZT 2.8 billion. In order to cover the damage caused, the property of the suspects was seized in the amount of KZT 1.2 billion.

It should be particularly noted that the total economic impact of the Agency’s work in preventive and criminal law areas in 2020 amounted to KZT 95.6 billion.

**2. Perception of corruption**

Due to political will of the country’s leadership, consistent policy of political modernization through the prism of democratization, systematic and comprehensive anti-corruption measures, as well as active involvement of civil society, Kazakhstan for the first time scored 38 points in the **Transparency International Corruption Perception Index** in 2020, which allowed it to move up by 19 positions and take the 94th place among 180 countries.

*Figure 2. Corruption perception index in Kazakhstan*

Thus, over the past two years, Kazakhstan has scored 7 points, more than 2 times higher than the result of the previous 7 years *(2012-2018-plus 3 points)*.

In the Eastern Europe and Central Asia region *(the average score is 36 points),* 19 countries took part in assessment. The leaders were: Georgia – 56 points, Armenia – 49 points, Belarus – 47 points, Montenegro – 45 points, Turkey – 40 points, Kazakhstan and Serbia – 38 points each.

According to the **World Bank’s Corruption Control indicator**, Kazakhstan has more than doubled its percentile rank over the past three years – from 19.7% to 43.8%.

*Figure 3. World Bank percentile rank*



According to the results of **social survey** “Monitoring the state of Corruption for 2020” *(7,200 respondents)*, conducted by the public fund **Transparency Kazakhstan** with the financial support of UNDP in Kazakhstan, more than 60% of Kazakhstanis expressed their readiness to fight corruption, 80.8% of entrepreneurs believed that it was quite possible to do business in the country without paying bribes and working exclusively within the legal framework *(76% in 2019)*. The results of population survey show that the share of people who faced corruption when applying to state bodies decreased by 2.1% and amounted to 11.3%.

Citizens named the following institutions of 20 institutions where informal cases occurred more often: state polyclinics and hospitals, police, land relations departments, PSC, state kindergartens, and state universities. According to the survey, 63% of citizens and 65% of businessmen trust the Anti-Corruption Agency.

A sociological survey conducted by the **Bureau of National Statistics** in 2020 showed that 89.2% of respondents trust the Anti-Corruption Service.

According to the results of research conducted by **MLGroup LLP** *(7,000 respondents)* at the request of Agency, 64.2% of respondents expressed their willingness to make a personal contribution to reducing the level of corruption.

Research conducted by **the Foundation for Social and Sustainable Youth Development** *(21,373 respondents)* showed that the majority of citizens support the country's anti-corruption policy – 77.4% of respondents believe that it is possible to form an anti-corruption culture in society.

**3. Legislative innovations**

In accordance with the instructions of the President, **two packages of legislative initiatives** were adopted in 2020.

A ban has been introduced for civil servants, parliamentarians and judges on keeping accounts in foreign banks; harsher punishment was imposed on law enforcement officers, judges, bribe-givers and bribery intermediaries for corruption; early release on parole for serious and particularly serious corruption crimes has been excluded; a ban on sending convicts to serve their sentences immediately to institutions of minimum security. [3, p. 121, 124, 125; 7, p. 5, 7]

In addition, the obligation of candidates for public office to notify about relatives working in the organization is also provided; a complete ban on gifts, material remuneration, provision of services to civil servants and other persons who have assumed anti-corruption restrictions, as well as their family members. [1, p. 15; 6, p. 12]

Punishment for corruption in the quasi-public sector has been harshened, and foundations of anti-corruption compliance in national companies and the private sector have been legislated. [6, p. 12]

An important legislative novelty was the introduction of criminal liability of law enforcement officers and special state bodies for encouraging committing crimes. [2, p. 21; 4]

The Criminal Code has been amended to harshen the punishment of law enforcement officers and judges for obstructing and illegally interfering in business activities.

In pursuance of the Concept of the Legal Policy of Kazakhstan for the period from 2010 to 2020 and the Address of the President to the people of the country dated September 2, 2019, **the Administrative Procedural Code** was adopted. It is a fundamental legal act aimed at introducing and applying the institute of administrative justice, effective mechanisms for protecting the rights of individuals and legal entities in consideration of public legal disputes, as well as ensuring the participation of citizens in the decision – making process by the authorities. [2, p. 14; 4, initiative 4.8]

In the context of improving the efficiency of the anti-corruption policy, it is important to note the reforms of the President aimed at **political modernization**. A notification procedure for holding peaceful assemblies has been introduced; an exhaustive list of grounds for refusing to hold a peaceful assembly has been defined; a procedure for determining specialized places for peaceful assemblies has been provided; for the first time, the concept of the parliamentary opposition, its status and guarantees have been defined at the legislative level; the number of citizens for creating a political party has been halved; a mandatory thirty percent quota for women and young people in electoral party lists has been provided; slander has been decriminalized.

**4. Activities of the Commission on Fight against Corruption under the President of the Republic of Kazakhstan**

In accordance with the Work Plan of Commission on Fight against Corruption under the President of the Republic of Kazakhstan *(Commission)*, headed by the Secretary of State of the Republic of Kazakhstan, 5 meetings were held in 2020, and 9 issues were considered:

1) on implementation of the Anti-Corruption Strategy of the Republic of Kazakhstan for 2015-2025 and results of the implementation by the authorized state bodies of the recommendations made as a result of external analysis of corruption risks;

2) on formation of an anti-corruption culture, education and upbringing;

3) on further improvement of state control and supervision, introduction of effective mechanisms for monitoring the objects of control and effective criteria for detecting violations;

4) on efficiency of measures taken by state bodies to counteract the shadow economy;

5) on efficiency of management, use and protection of land resources in the Republic of Kazakhstan;

6) on efficiency of state support measures to provide citizens with housing;

7) on efficiency of use of public resources by large infrastructure companies in the quasi-public sector;

8) on efficiency of use of budget funds allocated for implementation of the State Program for Development of the Agro-industrial complex of the Republic of Kazakhstan for 2017-2021;

9) on approval of Commission on Fight against Corruption under the President of the Republic of Kazakhstan for 2021.

The meetings were attended by members of the Commission, heads of interested central and local government bodies, as well as quasi-public sector entities.

Based on their results, the authorized bodies and organizations were given specific recommendations, the implementation of which is controlled by the Law Enforcement Department of the Security Council, which is the working body of the Commission.

Relevant information messages on consideration of these issues were posted and reported to the President.

**5. Combating corruption in the civil service**

In accordance with the instructions of the President, a set of measures was taken under the auspices of the national project **“Adaldyq alany”** to improve the transparency of the activities of state bodies with the activation of the transition to the **service model**. [4, initiative 4.15; 6, p. 12; 7, sub-s 4, 5]

At year end of 2020, 317 service akimats were opened *(with full coverage of districts and cities of regional significance)*, more than 2.3 thousand front offices and open space *(at the level of territorial divisions of central government agencies)*, about two thousand self-service corners *(in rural akimats)*, about 5 thousand managers moved to the first floors of buildings of state institutions.

In order to create comfortable conditions for transparent interaction with the society, the Anti-Corruption Service has opened 18 **“Antikor Ortalygy”** service centers throughout the country.

The accelerated implementation of the service model of the work of state bodies has allowed to reducing by two times the number of citizens who agree to the illegal solution of their issues due to the lack of an alternative.

Thus, according to the survey conducted by the public foundation Transparency International Kazakhstan, the share of people who specify “there was no other options” as the reason for agreeing to a corrupt transaction decreased from 16.1% to 8.2% in 2020.

With the active assistance of **“Adaldyq alany”** project, the level of **digitalization of public services** in 2020 reached 93% with the international standard of 90%. [4, initiative 4.15; 6, sub-s 7, 12]

According to the results of the survey *(9,181 respondents)* conducted by the Agency for Civil Service Affairs with the support of UNDP in Kazakhstan, the level of satisfaction of service recipients with the quality and availability of public services was 75.1%.

MDDIAI systematically optimizes the most popular public services among the population: together with the Ministry of Internal Affairs, the process of re-registering a car has been significantly simplified – the change of owner is carried out automatically after the transfer of money through the mobile application kaspi.kz, in a specialized PSC, only the issuance of driver's licenses remains.

Pilot project has also been launched to digitalize and cut the time *(from 12 months to 20 days)* of granting land plots *(by integrating the geoportals of akimats, the unified state real estate register and electronic trading platform)*.

Within the framework of the Unified Register of Subjects and Objects of Inspections, 466 illegal inspections were identified in the sanitary and epidemiological authorities and internal affairs bodies, as well as in the field of emergency situations.

In 2020, the Agency’s collaboration with Atameken was strengthened within the framework of price compliance of procurements using the analytical system **“Single Window of Procurements”**. [1, sub-s 64, 66; 3, p. 17]

This system allows analyzing procurements in real time for the validity of their volumes and prices at the planning stage. [4, initiative 4.17]

As a result, the irrational use of budget funds in the amount of KZT 22.8 billion was prevented.

In addition, at the initiative of the Ministry of Education and Science, the Agency together with the “Adaldyq alany” regional project offices, special monitoring groups monitored the procurement of computers, laptops and tablets by local authorities for distance learning of schoolchildren from socially vulnerable categories in the amount of KZT 70 billion. As a result, about KZT 3.6 billion was saved.

Due to joint efforts on price compliance, the number of corruption crimes detected by the Agency in the field of public procurement over the past three years has decreased by 23% *(2018 – 369, 2020 – 283)*, with a significant increase in their volume *(2018 – KZT 3.9 trillion, 2020 – KZT 6.6 trillion)*.

**The provisions on resignation and punishment** of the heads of state bodies for corruption of subordinates have been fully implemented. [1, p. 15; 2, p. 19; 6, p. 12]

Six political employees were dismissed from their posts, nine political employees were brought to disciplinary liability, and 39 senior administrative employees were brought to disciplinary liability *(12 were dismissed from their positions)*.

The Agency continues to monitor state bodies and organizations with the heads who **do not take active measures** to prevent corruption [7, p.14]. According to the annual report of the Anti-Corruption Service submitted to the President, such organizations include Ministry of Internal Affairs, Ministry of Agriculture and Ministry of Finance *(as to state revenue bodies)*, which is confirmed by the results of the Transparency Kazakhstan survey and criminal investigation practice.

In addition, in accordance with the instructions of the President, in order to standardize the system for assessing anti-corruption activity in state bodies, the Prosecutor General’s Office together with the Agency developed a **system for assessing the corruptogenicity of state bodies** and tested the corresponding methodology. [7, p. 13]

In order to raise the responsibility of the akims of regions, cities of republican significance, and the capital for efficient prevention of corruption, the **Basic list of indicators has been supplemented** with the target indicator “level of corruption”. [6, p. 12]

In order to further minimize the prerequisites for corruption in the civil service, the President instructed to take measures to **reduce the number of full-time civil servants** by 25% and introduce a new system of remuneration based **on a factor-point scale** in state bodies from July 1, 2021. [3, sub-s 6, 8]

**6. Introduction of the Public Control Institute**

As shown by advanced foreign experience, efficient control by citizens is the key to building a decent society.

Therefore, the President instructed to **strengthen public control on all fronts of anti-corruption**. [7, p. 4.3]

Political parties play a key role in the process of public control. For example, **Nur Otan** party pays special attention to the fight against corruption, formation of a good society, transparency and accountability of the government.

These issues are specified in the election program “The Path of Change: A decent life for everyone!” until 2025 and are consistently implemented within the framework of the party’s Anti-Corruption Program for 2015-2025.

For the first time, the Republican election program of the party is detailed in 216 regional programs, which makes it possible to effectively solve the tasks at all levels, anywhere in the country.

Systematic work is being carried out to scale up and implement the **anti-corruption projects**, the main actors of which are representatives of civil society.

Thus, the representative offices of the **“Adaldyq alany”** republican project are open in all akimats and ministries *(except for the Ministry of Internal Affairs)*. [6, p. 12]

17 regional heads of the “Adaldyq alany” project offices were appointed as non-staff advisers to the akims of regions, cities of national significance and the city of Nur-Sultan. A similar approach is being worked out for central government agencies.

With regards to education, within the framework of the **Adal bilim** project, a map of corruption risks of universities, a standard algorithm for conducting an anti-corruption audit of a higher education institution, as well as a concept for reforming the science administration system *(eliminating inefficient research institutes, abandoning the system of grant funding for science as the main way of its development, etc.)* were developed.

At the initiative of the Adal bilim project office, competition for awarding scientific scholarships and prizes was suspended and resumed only after amendments to the competition criteria regarding the transparency of awarding points to applicants.

The **“Adal Zhol”**project *(NC Kazakhstan Temir Zholy JSC)* continues to minimize corruption risks in the field of railway passenger and freight transportation.

A complete transition to e-tickets *(including for people with disabilities)* has been achieved by upgrading the website [www.bilet.railways.kz](http://www.bilet.railways.kz) and creating a mobile app. [3, p. 135] Savings after the rejection of paper tickets amount to 1.5 billion tenge annually.

Based on the experience of the United Kingdom, Hong Kong, China, Malaysia, and Singapore, testing of Digital ID technologies for biometric identification of passengers has begun. [3, p. 135]

In addition, transparency is ensured in recruitment of personnel in all subsidiaries of NC Kazakhstan Temir Zholy JSC and their branches *(video recording of meetings of interview panel; checking of candidates for corruption and other offenses; anonymous survey on the transparency of the competition)*.

The result of project **“Sapaly Zhol”** implemented jointly with the National Center for Quality of Road Assets, was prevention of irrational spending of budget funds in the amount of 20.8 billion tenge. Defects are eliminated at the expense of the contractors’ own funds. [6, p. 9]

The Agency, together with the Atameken National Chamber of Entrepreneurs, continues to implement the **“Protecting Business and Investments”** project. In 2020, 635 business projects with a total value of 16.2 trillion tenge were under anti-corruption support, and rights of about 350 entrepreneurs were protected from illegal interference by officials.

**An interactive map of open budgets** has become an effective tool for improving the accountability of government agencies([www.publicbudget.kz](http://www.publicbudget.kz)), where information about the budget funds allocated for socially important objects that is understandable to citizens is available. [4, initiative 4.21; 6, p. 12; 7, p. 4]

About 18 thousand state organizations and institutions placed public data for a total amount of more than 14 trillion tenge, of which 69% – in 2020 *(9.6 trillion tenge)*.

In order to increase awareness and involvement of citizens in the budget process, the Agency, together with the Center for Applied Research “TALAP”, the Embassy of the Kingdom of the Netherlands and Foundation for the Development of Parliamentarism, initiated the **“Ashyk Budget”** project.

In the cities of Almaty and Nur-Sultan, a pilot project **“Participation Budget”** has been launched, aimed at the developing and improving the territories based on the proposals of citizens selected by online voting. [1, p. 46]

As part of the **development of democratic institutions**, Solovyova A.S., the Chairman of the SMG, after the announcement of the date of elections of deputies of the lower house of Parliament and maslikhats of the Republic of Kazakhstan, publicly proposed a charter on impartial and honest election observation, which was supported by the Civil Alliance of Kazakhstan, trade unions, public foundation “Make way for the young to make way” and many other non-governmental organizations.

This is the observer’s Code of Ethics, based on Universal Declaration of Human Rights, the UN International Covenant on Civil and Political Rights, OSCE principles, Convention on Standards for Democratic Elections, and the Constitution of the Republic of Kazakhstan.

The public coalition consisted of 10 thousand independent observers from all over the country, who monitored the entire election process on January 10, 2021. No violations of the electoral legislation were detected.

The head of SMG noted that active assistance to development of democratic institutions will continue on an ongoing basis.

One of the most important legislative innovations of 2020 was the **restoration of the institute of anti-corruption expertise** of draft regulatory legal acts.

In order to ensure its high-quality implementation, the special monitoring group organized 23 training seminars for 1,024 citizens in all regions of the country.

In less than a year, 3,571 projects were submitted for anti-corruption expertise, and conclusions were prepared for of 2,541 of 3,571 projects ([www.expertize.kz](http://www.expertize.kz)).

125 selected independent experts identified 7,564 corruption factors, of which 32% are breadth of discretionary powers, 22% - ambiguous wording of the rules, which showed a weak study of draft laws by the bodies-developers.

In order to monitor the **provision of medicine**s to citizens during the pandemic, at the initiative of the founder of public association “I am an Almatian” Konstantin Avershin and volunteer Saida Taukeleva, the **“Public Control”** project was created, which was supported by the head of the National Volunteer Network Vera Kim and the association of volunteers - search service Lider KZ.

Starting with the monitoring of pharmacies, and with the support of the Ministry of Healthcare, the Ministry of Information and Social Development, the Agency, akimats, this volunteer project has expanded to hospitals, warehouses, schools and the process of supporting humanitarian aid to the end user.

To date, the Public Control includes about 400 volunteers throughout the country, who conducted more than five thousand monitoring events in 2020.

Moreover, in accordance with the instructions of the President, as well as recommendations of GRECO on preventing corruption during the **COVID-19 pandemic**, the Agency, in close cooperation with the Adaldyq alany project and members of the special monitoring group, carried out 1,500 activities covering 8,720 pharmacies, 432 warehouses, 486 hospitals and polyclinics in all regions of the country. 296 violations were terminated *(221 - overpricing of medicines, 12 - illegal sale of masks, 4 - lack of a license, etc.)*.

100 criminal offenses related to the coronavirus pandemic were registered (*42 – abuse and embezzlement of budget funds allocated for anti-crisis measures)*. For example, facts of purchase of 132 artificial lung ventilation devices at inflated prices in the amount of more than 2 billion tenge were established.

Specific preventive measures have been taken. All pharmacies in the country have information about the marginal cost of medicines and “hot” lines numbers of the authorized body in the field of healthcare.

Due to the unprecedented organization of volunteers and prompt response of state agencies, it was possible to stop the crisis processes in the shortest possible time and improve the supply of medicines and medical products to citizens in need.

According to the initiative to expand public control in the Anti-Corruption Service, public representatives are involved in the work of the **Agency’s advisory bodies** and directly participate in consideration of issues of punishment, ethical practices, public procurement procedures, as well as in the overall improvement of anti-corruption policy, including at the Agency’s weekly staff meetings.

The important amendments have been made to the legislation at the country level that increase **the capacity of public councils** by creating them in the quasi-public sector [3, p. 118], giving them the right to collectively select draft regulatory acts for consideration and participate in the work of procurement committees.

In addition, in accordance with the instructions of the President, the Ministry of Information and Social Development has developed a **draft law “On Public Control”**, aimed at increasing the transparency and accountability of state bodies and the quasi-public sector to society. [3, p. 117]

**7. Anti-corruption measures in the quasi-public and private sector**

In compliance with the new legislation on **anti-corruption compliance,** the Agency organized an international online forum, where further joint steps to develop this institution in Kazakhstan *(standardization and digitalization of compliance control, development of methodology, etc.)* were discussed together with other stakeholders (KPMG, Kaz Bar Chamber of Legal Advisers, the Center for Legal Policy Research, national companies, experts from Israel, Russia, the United States, Uzbekistan and Ukraine*)*. The result of this collaboration was development of appropriate methodological recommendations.

By analogy with the state authorities, the creation of the **“Adaldyq alany”** project offices in quasi-public sector entities has begun. In 2020, they appeared in NC Kazakhstan Temir Zholy JSC, SK Pharmacy LLP and the National Center for the Quality of Road Assets.

Along with civil servants, the **heads of quasi-public sector entities** also bear personal responsibility for failure to perform or improper performance of official duties to prevent the corruption offenses by subordinate employees. [1, p. 15; 2, p. 19; 6, p. 12] In 2020, five top managers of the quasi-public sector were brought to disciplinary liability.

**The range of potential subjects of** corruption offenses has been expanded. Thus, persons who are subject to anti-corruption legislation include those who are authorized to make decisions on the organization and conduction of procurement or are in charge of selection and implementation of projects funded from the state budget and the National Fund in state organizations and quasi-public sector entities *(persons holding a position no lower than the head of an independent structural unit).*

In addition, persons who perform managerial functions in a quasi-public sector entity with any share of state participation are classified as subjects of corruption *(previously, only companies with a 50% or higher share of participation were classified as such)*.

As part of monitoring of procurement prices, **data from large entities of the quasi-public sector** *(SWF Samruk Kazyna JSC, Baiterek JSC and KazAgro JSC, National Information and Communication Holding “Zerde” JSC, QazExpoCongress JSC, National Information Technologies JSC, National Geological Exploration Company “KAZGEOLOGIYA” JSC, Food Contract Corporation JSC)* are placed in a Single procurement window. The work on connecting national companies to the price compliance system continues.

In addition to these measures, the new rules on mandatory establishment of public councils in the quasi-public sector will promote the transparency of national companies and their accountability to society.

**8. Prevention of corruption in courts, law enforcement and special state bodies**

One of the most effective measures of 2020 was **adding greater punitive measures** applicable to law enforcement officers and judges for corruption.

Thus, sanctions and legal consequences for a number of corruption crimes have been boosted *(articles 361, 364, 365, 366, 369 and 370 of the Criminal Code of the Republic of Kazakhstan)*.

For example, now taking even a small amount of a bribe *(up to 50 monthly calculation indices, Article 366 of the Criminal Code)* will be considered a serious corruption crime *(and not a medium-gravity one, as previously)*, which entails a maximum penalty of up to six years in prison *(previously – five years)* and other consequences for judges and law enforcement officers *(they are deprived of the possibility of parole, as well as serving their sentences immediately in minimum security colonies)*.

In case of abuse of official powers *(Article 361 of the Criminal Code*), a police officer, an employee of the prosecutor's office, the anti-corruption service or the economic investigation department is punished with up to four years’ imprisonment *(previously - up to two years)*. If this crime is committed by chief executive officers of law enforcement agencies, their deputies, judges, sentence will be increased to seven years of imprisonment *(previously - up to five years)*.

In addition, criminal liability of law enforcement officers and special state agency officers for provoking a crime will increase their professionalism, strengthen the protection of the constitutional rights of citizens and minimize corruption risks.

In order to minimize the causes of corruption, measures have been taken to systematize and increase the remuneration of officers of law enforcement and special state bodies.

In accordance with the instructions of the President, the **Ministry of Internal Affairs is being reformed** *(as part of Roadmap for Modernization of Internal Affairs bodies for 2019-2021)*: the staff structure has been optimized *(106 redundant managerial links and about 1.5 thousand senior positions have been reduced)*; the number of internal affairs bodies has been reduced by 11%; the number of departmental educational institutions has been reduced *(from 12 to 5)*.

The interdepartmental study of issues on release of the Ministry of Internal Affairs from non-core duties *(protection of objects, migration, medical support of convicts, etc.)* continues. [3, p. 108] The functions in the field of civil protection have been transferred to the newly formed Ministry of Emergency Response.

The release from non-relevant duties will allow focusing on important law enforcement functions, including through the introduction of **service model of the police**, which focuses on the interests of law-abiding citizens.

Based on experience of the OECD countries, three main vectors are identified: timely elimination of potential threats; walking distance of the police and development of digital technologies; and close partnership with society.

In order to further eliminate the prerequisites of corruption **in the judicial system**, the Supreme Court eliminated the possibility of manipulations in the algorithm of automated distribution of cases. [1, p. 7]

“Judge-conciliator” position was also introduced, which decreased the load on the courts by three times *(from 20 to 6 thousand per day)*: 40% of cases settled by reconciliation, the parties themselves settle the dispute, preventing the corruption by judges [1, p. 5]

After declaration of state of emergency associated with the pandemic, the trials in Kazakhstan were quickly transferred to online mode *(85 servers were installed and 120 terrabytes of memory were purchased)*.

Digitalization of the judicial system has shown its effectiveness and allowed citizens from 20 countries, including investors, to participate in remote trials.

In order to minimize corruption risks in **the Anti-Corruption Service**, the President supported the Agency’s initiative to establish housing payments to officers of the operational and investigative structure.

The Agency constantly carries out a set of necessary measures to prevent and detect offenses committed by personnel, as well as to bring the perpetrators to the responsibility established by law.

**9. Formation of integrity system and anti-corruption culture in society**

In pursuance of the instructions of the President, purposeful ideological work has been provided aimed at forming a zero tolerance for corruption in society. [6, p. 6; 7, p. 5]

In order to build a constructive **dialogue with the society** within the framework of the concept “hearing state” proclaimed by the President, the Agency continues extensive interaction with civil society in solving urgent problems of the population. [2, p. 4]

To date, the anti-corruption movement includes **about 100 thousand public volunteers**.

The non-governmental sector plays a crucial role in formation of an anti-corruption culture and **integrity system**.

Thus, the republican public association “National Movement against Corruption **“ZHANARU”**, which has an extensive network of branches throughout the country, constantly conducts events to explain the issues of combating corruption to citizens, receives citizens and monitors the provision of public services to the population through its mobile groups.

**The first anti-corruption media center** in cooperation with state bodies, mass media and other organizations provides broadcasting of the anti-corruption agenda in the information space of the country.

**The Civil Alliance of Kazakhsta**n, being one of the largest republican associations *(more than 500 non-profit organizations)*, actively promotes the development and efficiency of the non-governmental sector, including through targeted ideological work aimed at creating zero tolerance for corruption in society.

**The Foundation for Development of Parliamentarism** in Kazakhstan contributes to fight against corruption by promoting the protection of human rights, development of democracy and participation in government, including through the introduction of public control in the budget process.

**The National Chamber of Entrepreneurs “Atameken”** provides comprehensive protection of the rights and interests of business, national and foreign investors, including by eliminating the prerequisites for corruption.

**The Chamber of Young Lawyers** promotes the prevention of corruption by involving young people in development of the rule of law and raising the legal consciousness of the population.

The **“Adildik Zholy”** republican public association is aimed at promoting the ideology of integrity in society, eliminating the causes and conditions that contribute to corruption offenses.

The mission of project **“Accelerator of Good: Izgilik elshisi”**, founded at the Sorbonne - Kazakhstan Abai Kazakh National Pedagogical University is to cultivate integrity among the population, provide free legal assistance to vulnerable citizens and improve the legal literacy of the population.

Due to active participation of the public, there is a positive trend in perception of corruption in society.

Thus, according to the results of the study **“Monitoring of situation with corruption for 2020”** *(conducted by the public fund Transparency Kazakhstan with the financial support of UNDP in Kazakhstan)*, the share of those who believe that the number of corruption cases is growing is significantly lower in 2020 than in 2019 *(15.4% vs. 23.9%)*.

In order to ensure the participation of citizens in implementation of anti-corruption policy at the national level, the Agency continues productive cooperation with the SMG, the Public Council.

At the same time, taking into account the importance of the continuity of generations, the Agency has established a **Council of Veterans** of the Anti-Corruption Service, which takes an active part in educational work and transfer of best practices to young employees.

Also, in order to implement the best world practices in the fight against corruption, a **Council of Scientific Experts** under the Agency has been created, which unites more than a hundred young scientists from leading universities of the world.

In the process of forming an anti-corruption culture, special attention is paid to promotion of the principles of **integrity in the field of education**.

There are more than 4,500 voluntary school clubs **“Adal Urpaq”** and about 750 student clubs “**Sanaly Urpaq”** in the country, which instill the values of honesty and justice *(350 meetings, 150 round tables, 130 forums and meetings, 90 campaigns)*.

In the context of spiritual, moral and civil-patriotic education of schoolchildren, the Agency and the United Children’s and Youth Organization **“Zhas Ulan”** signed a memorandum of cooperation.

In the context of the pandemic, meetings with schoolchildren and students within the framework of the “hour of integrity” were held online *(11 online lectures for students of 6,603 schools, 704 colleges and 85 universities)*.

Together with the Ministry of Education and Science, a methodology for identifying and resolving conflicts of interest in universities, as well as a standard of transparency, have been developed, and compliance services of universities have been identified as the main agents of the anti-corruption culture *(transparent distribution of grants, places in dormitories, prevention of conflicts of interest, and other issues).*

In order to scale up awareness-raising, educational and consulting work with the population in the context of the pandemic, the Agency has initiated a **number of new online projects**.

Within the framework of volunteer project **“Adal Komek”**, 250 attorneys and lawyers conducted seven thousand online events *(coverage – 4.1 million citizens)* and solved 39 thousand issues of citizens.

**The Antikor Live** project and the Agency's information and educational offices conducted 10.7 thousand online events for spiritual and moral education of citizens *(more than 5.5 million people)*, including the republican folk art festival “Antikor Terme” and the first “Antikor-aitys” attended by 16 young akyns from different regions of the country.

**The Antikor News** **project** provides a continuous broadcast of current anti-corruption information *(690 news releases on the Agency’s official accounts, 126 exclusive operational surveys, 647 briefings, more than 800 speakers, including 98 regional akims)*.

More than 3,500 anti-corruption banners have been placed throughout the country, more than 1,100 videos have been prepared, 54 anti-corruption murals have been painted, and about 17 million handouts *(receipts, flyers, brochures and leaflets)* have been distributed.

Within the framework of the VIIIth annual award **“Public Recognition – Adal tulga 2020”**, the “Adal bilim” and “Adal kómek” projects were recognized as the best national projects in the nomination “En uzdik Ulttyk zhoba”.

However, the potential for public participation is much higher. According to the Transparency Kazakhstan PF’s study “Monitoring of situation with corruption in Kazakhstan for 2020”, 60% of Kazakhstanis are willing to assist in the fight against corruption.

Another sign of an increase in the anti-corruption culture of Kazakhstanis is increase in the number of calls to the call-center “1424” by 10% *(2020 – 28,658 calls, 2019 – 25,811)* and by 29% compared to 2017 *(20,352)*.

By the example of most OECD countries, the fixed system of **rewarding citizens** for assistance in the fight against corruption has been replaced with a differentiated one – now persons who report a corruption fact receive 10% of the amount of a bribe or damage (after a court verdict). The maximum amount of remuneration is four thousand monthly calculation indices, depending on the severity of the crime *(previously - 100 MCI)*. [6, p. 12]

Within the framework of information and explanatory work, meetings of the Anti-Corruption Service management with the labor collectives of state bodies and quasi-public sector entities and other organizations are held.

**10. Analysis of corruption risks and anti-corruption monitoring**

In 2020, 264 anti-corruption monitoring was conducted. As part of the external analysis of corruption risks, the activities of 217 organizations were inspected. [3, p. 116]

As a result, 3.7 thousand recommendations were made *(amendments were made to 70 regulatory acts and 1,100 organizational measures were taken)*. According to the submitted reports, 250 persons were discharged and dismissed from their posts.

According to the Agency’s recommendations, the Center for International Programs JSC has radically revised the Rules for selecting applicants for award of the Bolashak International scholarship *(equal opportunities for all candidates have been created, all preferential quota categories have been abolished, the process of accepting applicants' documents has been fully automated, the stages with high corruption risks – evaluation of motivational and recommendation letters, determination of the level of knowledge of the state and foreign languages)*  and business processes have been optimized with an annual savings of 1.3 billion tenge.

The Committee for Environmental Regulation and Control of Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan has eliminated the discretionary rule that allows choosing a method *(direct or indirect)* for economic assessment of environmental damage.

The Ministry of Energy has excluded the practice of unjustified refusals in provision of public services *(an exhaustive list of grounds has been approved).*

In addition, in 2020, the Agency monitored the implementation of recommendations made based on the results of external analysis of corruption risks in the previous period.

Thus, SK-Pharmacy LLP launched the “reset” program, 10 project groups were formed in strategically important areas *(logistics and procurement of medicines and medical devices; development of the BIG PHARMA program; ensuring transparency; optimization of administrative costs and other areas).* Administrative expenses in the amount of 240 million tenge were optimized solely at the initial stage.

According to the results of risk analysis in the Committee on State Material Reserves of theMinistry of National Economy (under the Ministry of Emergency Response in 2020), conducting a study of quality of food products supplied to the state reserve is entrusted to organizations in the field of sanitary and epidemiological welfare of the population *(previously, the reserve included goods that did not meet the standard, which created conditions for theft)*. In order to automate the control, an Operational Control Center *(with video surveillance in warehouses)* was created.

The results of other analyses will be provided in 2021 after implementation of the recommendations *(within 6 months in accordance with the current rules for external analysis)*.

**11. Implementation of the Action Plan for Anti-Corruption Strategy**

In 2020, the Action Plan for 2018-2020 for implementation of the Anti – Corruption Strategy (the Plan)provides for 28 measures, of which 27 have been implemented. [5]

In evaluation of implementation of the Anti-Corruption Strategy, **special monitoring group** carried out a number of visits in 2020 to analyze the implementation of measures in practice.

The SMG activists monitored the activities of the customs service at the border with China and Russia in connection with complaints from long-distance truck drivers about long queues. Shortcomings in operation of the electronic border crossing system were found and recommendations for their elimination were given.

As part of “clean session” campaign, a number of violations were revealed when passing entrance tests to colleges and universities, as well as in unified national testing. Monitoring covered more than 130 thousand students. 1,591 results were canceled, 1,811 students were not allowed to take exams for violation of UNT rules.

The raids were also carried out on the effective use of budget funds in the construction of roads, dormitories and other social facilities, and monitoring of public procurement of goods intended for people with disabilities was carried out.

Item 50 of the Plan *(monitoring of situation with academic integrity in higher education institutions, the form of completion – a sociological study)* has not been implemented. According to the information of responsible officer *(Ministry of Education and Science)*, this was due to lack of budget funds for the implementation of this item. At the same time, this item was not implemented in 2019.

However, the SMG drew attention to the fact that when developing departmental and regional plans, state bodies usually provide for “comfortable” measures for themselves without taking into account real corruption risks. The reason for poor planning is departmental interests and poor public involvement in this process.

Taking into account the identified shortcomings, the SMG recommended that state bodies ensure high-quality planning of anti-corruption measures based on a detailed list of corruption risks with the mandatory participation of representatives of civil society.

As part of further implementation of Anti-Corruption Strategy, the Agency, together with the SMG, has formed a draft Action Plan for 2021-2023.

The new planning document does not contain formal measures and is aimed at eradicating domestic corruption, as well as further implementation of international anti-corruption standards of GRECO, OECD, FATF, and the UN Convention against Corruption. [7, p. 7]

According to the study conducted by Foundation for Social and Sustainable Youth Development requested by the Agency, 67% of 21,373 citizens surveyed are aware of the existence of the country’s Anti-Corruption Strategy.

**12. Development of Anti-Corruption Service**

In October 2020, the legislation was amended in terms of strengthening the **legal status**of theauthorized anti-corruption body *(inclusion in the list of state bodies that ensure national security; the right to require the quasi-public sector entities to perform audits, tax and other audits and assessments (previously, this requirement was applied only to state bodies).*

In accordance with the instructions of the President on increasing the salaries of civil servants due to personnel optimization, the **vacant fund** of the Anti-Corruption Service has been increased to **30%**. [2, p. 5; 3, p. 6]

The reduction **in number of inter-district divisions** continued – 9 out of 13 were abolished *(in 2019 there were 41),* 4 remained in large regions of the country *(in Almaty, East Kazakhstan, Karaganda, Turkestan regions)*. The ratio of managers and performers is **1:8** *(before optimization-1:2)*.

Due to optimization measures, the operational and investigative unit has been strengthened. In 2020, special-purpose unit was formed to identify crimes among the top management of government authorities.

Savings are aimed at upgrading facilities and equipment, financial support for employees and digitalization of internal business processes.

A new position has been introduced-Assistant to the Chief Data Officer.

The first stage of introduction of the analytical platform **“Digital Anti-Corruption Service”** with 4 modules: Antikor-HR *(from document management to effective human resource management)*; Antikor-Stat *(operational and predictive analysis of statistical data based on big data and artificial intelligence technologies)*; Antikor-Prevent *(systematization of preventive work)*; Antikor-Portal *(creation of a structured knowledge base and convenient environment for internal communications)* [4, initiatives 4.16, 4.19]was completed under his direction for digitalization of internal processes and external communications.

**Use of electronic means of tracking** in selection of preventive measures that are not related to detention has begun *(in 2020, 5 suspects were under round-the-clock monitoring)*.

Within the framework of the project **“E-criminal case”,** the workplaces of investigators are equipped and data security is ensured. In 2020, 121 criminal cases were investigated electronically.

Registration of operational data is automated in the centralized system of confidential document management.

**13. International cooperation**

In 2020, active cooperation with foreign and international partners continued. [7, p. 7]

34 meetings were held with representatives of international organizations *(World Bank, GRECO, OECD, UNDP, UNODC)*, rating agencies *(Freedom House, IHS Markit, WJP, OGP, PRS Group, Bertelsmann Foundation)* and foreign countries *(Austria, Brazil, Great Britain, Hong Kong, Italy, Mongolia, Netherlands, Serbia, USA, Uzbekistan, South Korea, etc.)*.

The results achieved by Kazakhstan and further steps to reduce the level of corruption, including within the framework of the UNDP Country Program for 2021-2025, were discussed with the partners at the meetings.

An extensive discussion of international anti-corruption agenda took place on the sidelines of the 85th and 86th plenary sessions of the Group of States against Corruption of the Council of Europe (GRECO), the 28th OSCE Economic and Environmental Forum, as well as the 6th international conference dedicated to the World Anti-Corruption Day.

**CONCLUSION**

**Conclusions**

Due to trusting partnership between the government and society, the active involvement of citizens in combating corruption, Kazakhstan managed to overcome the downturns associated with the COVID-19 pandemic in the shortest possible time.

As part of further implementation of the Anti-Corruption Strategy of Kazakhstan for 2015-2025, preventive measures have been improved and scaled up at the legal, practical and mental levels.

Regulatory acts adopted in order to harsh the punishment for corruption, protect the constitutional rights of individuals and legal entities, strengthen democratic institutions and expand the participation of citizens in government, laid a solid foundation for further promotion of the ideology of integrity and elimination of corruption factors.

Preventive measures cover all areas of anti-corruption policy *(anti-corruption in the civil service; introduction of public control institute; anti-corruption in the quasi-public and private sectors; prevention of corruption in courts and law enforcement agencies; formation of system of integrity and anti-corruption culture in society; development of international cooperation on anti-corruption issues)*.

The national anti-corruption movement involves all groups concerned – schoolchildren, students, teachers, civil servants, entrepreneurs, investors, independent experts, volunteers and others.

The principled position of the President and the accelerated implementation of international standards have a positive impact on the socio-economic development of the country, which is confirmed by the positive dynamics of population’s perception of the changes taking place.

**Proposals**

In order to further implement advanced anti-corruption standards, it is necessary to consider the following issues:

1. continuing development **of new anti-corruption tools**: punishment for illegal enrichment; Integrity check; criminalization of promising/offering bribes; formation of a comprehensive system of protection of persons who reported corruption (whistleblowing); abolition of multiple fines for particularly serious corruption crimes;
2. standardization of **service model** of the work of state bodies;
3. implementation of **anti-corruption rating** of state bodies;
4. creating a **system for evaluating** quasi-public sector entities;
5. ensuring public control in **audit activities**;
6. implementation of **common anti-corruption compliance standards**;
7. applying **price compliance** at an early stage of the budget process (*when considering a budget application)*;
8. expanding **mechanisms for participation** of civil society representatives in the budget preparation and execution process;
9. publication of **works completion certificate** and establishment of clear deadlines for their consideration by the customer;
10. introduction of **digital auctions** in distribution of state resources *(mineral resources, land, premises, etc.)*, as well as digital tenge in the field of procurement;
11. monitoring of **procurements of natural monopolies through** “Single Window of procurements” portal;
12. improving the effectiveness of punishment for violation of **provisions on conflict of interests**;
13. introduction of **declaring the interests** of civil servants;
14. introduction **of civil liability** of customers and contractors for failure to publish information on the use of budget funds in the public domain;
15. improving **the efficiency of scientific research** in the field of anti-corruption, including by providing access to reliable data for scientists;
16. creation of **public unified electronic database** of theses, master's and doctoral theses, grant research;
17. development of project **“Adaldyq alippesi”** for the formation of strong beliefs in children about an honest and fair way of life from an early age;
18. release of **educational departments and units** from administrative and economic duties *(construction, repair, economic support of schools and colleges)*;
19. approval of **anti-corruption standards** for the judicial system;
20. involvement of civil society in detection of corruption in **the judicial staff**;
21. improving the efficiency of anti-corruption projects by systematizing their activities through p**roject management**;
22. improving the interaction of **“Adaldyq alany” project** with other public establishments in terms of joint development of measures to eliminate the prerequisites for corruption;
23. enhancing the legal status of the SMG;
24. introduction of draft regulatory legal acts of “artificial intelligence” **in the anti-corruption expertise”**;
25. exceptions to the practice of approving draft regulatory legal acts in a short time, as well as **expanding the participation of citizens**  in their discussion on Open regulatory acts portal;
26. targeted elimination of corruption risks in the sectors of the economy with the largest share **of shadow turnover** *(agriculture, trade, construction, transport)*;
27. creation of an organized **corn market**, including an exchange, settlement and clearing infrastructure, system of central depository for electronic grain receipts, a system for quality control and storage of grain;
28. digitalization of process of **granting agricultural land**;
29. creating a **register of mandatory requirements** for business entities;
30. development of professional **self-regulating organizations** in the field of construction and veterinary medicine;
31. centralization of licensing process with the creation of a **single electronic register of licensees in the construction sector**;
32. approvalof **unified requirements for geoportals of akimats**;
33. accelerating the **implementation** of the National Spatial Data Infrastructure and Unified Real Estate Cadastre project;
34. full **automation of the procedure** for changing the purpose of the land plot;
35. full **automation of customs border inspections** and temporary storage warehouses with the introduction of a mandatory standard for packaging and coding of imported goods;
36. providing **access to the work of the Situation Center** of the State Revenue Committee of the Ministry of Finance for public organizations for the purpose of public control over the activities of importers and carriers;
37. exceptions to **customs inspection** of container transit trains;
38. further development of information system **“Marking and traceability of goods”** of Kazakhtelecom JSC;
39. application of punishment – **community service** – for those convicted of corruption crimes and creation of a public register of corrupt officials;
40. **public participation in work** of personnel commissions and operational meetings of state bodies.

**List of documents with instructions, which were the basis of anti-corruption policy in 2020:**

1. Action plan for implementation of pre-election program of the President of the Republic of Kazakhstan “Well-being for everyone! Continuity. Justice. Progress” and proposals received during the national campaign “Birge” (approved by the Decree of the President of the Republic of Kazakhstan dated June 19, 2019 No. 27) / http://adilet.zan.kz/eng/docs/Z1500000410

2. National action plan for implementation of the Address of the President to the People of Kazakhstan dated September 2, 2019 “Constructive public dialogue-the basis for stability and prosperity of Kazakhstan” (approved by Decree of the President of the Republic of Kazakhstan dated September 10, 2019 No. 152) / http://adilet.zan.kz/rus/docs/U1900000152

3. National action plan for implementation of the Address of the President to the People of Kazakhstan dated September 1, 2020 “Kazakhstan in a new reality: time for action” (approved by Decree of the President of the Republic of Kazakhstan dated September 14, 2020 No. 413) / http://adilet.zan.kz/rus/docs/U2000000413

4. Strategic Development Plan of the Republic of Kazakhstan until 2025 (approved by the Decree of the President of the Republic of Kazakhstan dated February 15, 2018 No. 636) / http://adilet.zan.kz/rus/docs/U1800000636

5. Action plan for 2018-2020 for implementation of the Anti-Corruption Strategy of the Republic of Kazakhstan for 2015-2025 (approved by the Decree of the Government of the Republic of Kazakhstan dated May 31, 2018 No. 309) / http://adilet.zan.kz/rus/docs/P1800000309

6. Minutes of the meeting chaired by the President of the Republic of Kazakhstan Tokayev K. K. dated May 20, 2019 No. 19-01-7.14

7. Minutes of the meeting chaired by the President of the Republic of Kazakhstan Tokayev K. K. dated August 19, 2020 No. 20-01-7.19

**Note:** in order to comply with the requirement for inclusion of information on implementation of strategic and program documents *(paragraph 8 of the Rules for Preparing, submitting and publishing the National Report on Combating Corruption to the President of the Republic of Kazakhstan)*, the text of the report includes references to the items of the above instructions.

**List of abbreviations:**

UN – United Nations

GRECO – Group of States against corruption

OECD – Organization for Economic Cooperation and Development

OSCE – Organization for Security and Co-operation in Europe

FATF – Financial Action Task Force

SMG – Special Monitoring Group for External Analysis and Evaluation of the implementation of the Anti-Corruption Strategy of the Republic of Kazakhstan for 2015-2025

JSC – joint-stock company

LLP – limited liability partnership

NJSC – non-profit joint-stock company

NC – national company

MDPIAI – Ministry of Digital Development, Innovation and Aerospace Industry

MES – Ministry of Education and Science

MEGNR – Ministry of Ecology, Geology and Natural Resources

MA – Ministry of Agriculture

MER – Ministry of Emergency Response

MIA – Ministry of Internal Affairs

NCE – National Chamber of Entrepreneurs

CIS – Commonwealth of Independent States

UNT – unified national testing

PSC – public service center

ERSOI – unified register of subjects and objects of inspections

MM – mass media