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# THE RELATIONSHIP BETWEEN CORRUPTION AND LABOUR MOBILITY: THE LEGAL ASPECT

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## ABSTRACT

In today's world of global challenges and threats, the relationship between corruption and labour mobility plays a crucial role in shaping economic development, social stability, and political dynamics within countries. Understanding this relationship offers opportunities to develop effective strategies for combating corruption and facilitating labour mobility, which, in turn, contributes to more competitive and stable societies. Such an approach helps avoid the negative consequences of poor management of these phenomena and promotes sustainable economic and social development.

The aim of this article is to explore the relationship between corruption and labour mobility in Ukraine and to propose solutions for addressing the existing challenges in this area. The application of methods such as generalization, modelling, functional analysis, and system-analytical approaches has proven highly effective in examining corruption within the context of labour law and labour mobility in Ukraine. These methods have enabled us to define the essence of the phenomenon, assess its impact, and develop specific recommendations for enhancing the effectiveness of anti-corruption mechanisms in these domains.

**Keywords:** labour market, employment, mobility, labour migration, employees, corruption

## INTRODUCTION

The world at the turn of the millennium is undergoing large-scale, multi-faceted, ambiguous, and often contradictory changes. These changes not only present new and unprecedented opportunities but also give rise to serious challenges and risks. In exploring the prospects of human development in the era of contemporary global issues, Toffler and Toffler (2007) note that "a human has proved to be culturally incapable of keeping up and fully adapting to the changes that he has brought to this world." This is particularly true in the sphere of social and labour relations. The transformation of the employment institution, coupled with the multi-faceted nature of changes in the labour

market, is intensifying and reshaping both employment patterns and the established parameters of the labour market (Jan et al., 2020). The new economy demands a more flexible labour market. One indicator of this flexibility is labour mobility, which reflects the market's adaptation to structural and economic changes. Consequently, mobility—especially labour mobility—has become one of the most pressing issues of our time.

The formation of the labour market as a socio-economic form of the labour movement, which corresponds to a market economy, is mediated by labour mobility and requires consideration of the peculiarities of this process, as opposed to command-and-control mechanisms of management that ensure volitional regulation of the distribution and redistribution of labour (inter-sectoral, territorial, etc.). Labour mobility should be viewed as a necessary attribute of market relations, as a process closely related to the freedom of choice of employment (multiple job offers, competition among employers for quality labour), which reproduces labour potential and creates conditions for the free development of the individual. The transition to the economic independence of enterprises, their gradual denationalisation and privatisation, has intensified labour mobility. The labour market began to value such important qualities as employees' ability and readiness to change jobs, their competitiveness, and their interest in training, retraining, and continuing education (Yaroshenko et al., 2023a).

The formation of the labour market has intensified inter-industry, intra-industry, and territorial movement of workers and facilitated the change of professions, as well as qualification and professional development. It can be argued that a market economy is a kind of mobility stimulant. On the one hand, market economy directs skilled workers to find places to better use their labour and abilities in jobs with high creative content and remuneration. On the other hand, a significant proportion of the working-age population that is laid off from production and temporarily unemployed must undergo professional retraining (Souto-Otero et al., 2023).

The labour market and employment are the most dynamic elements of a market economy, where the interests of employees and employers intertwine, and where economic, political, demographic, social, and other processes are reflected. In particular, the peculiarities of population reproduction and human capital formation, the state of development of fixed assets and their competitiveness, the organisation of production of goods and services, which, in turn, significantly affect the demand for and qualifications of employees, the level of employment and unemployment, social protection and living standards.

Ensuring the competitive advantages of the national labour market is a priority area of the country's social and economic policy and is associated with the competitiveness of human resources, high levels of employment and social protection, and the approximation of wages and incomes to global standards. In the context of labour market formation, the issue of labour mobility of employees has become particularly important in Ukraine, as it is the basis for ensuring a balanced labour market and a high level of competitiveness of the labour force and each of its members (Yaroshenko & Lutsenko, 2022).

Labour mobility is strongly affected by corruption, as it makes it more difficult to find legal employment, encourages documentation abuse, and undermines public trust in institutions. This can force people to look for work abroad or in the informal sector, worsening labour market conditions

(Blackburn & Forgues-Puccio, 2010). Exploring this link is particularly important in the Ukrainian context, where corruption is a major problem that hinders social stability and economic growth. Understanding these factors allows for the design of effective policies that promote labour mobility, improve working conditions, and fight corruption, all of which are essential for Ukraine's economic recovery.

The topic of the relationship between corruption and labour mobility is important because corruption is a serious threat to economic development, social stability, and democracy in many countries. It can lead to inequities in the distribution of resources, hinder economic growth and reduce trust in government. At the same time, labour mobility is a key factor in economic growth and innovation and can have a significant impact on a country's economic and social relations.

Understanding these interrelationships can be important for designing effective anti-corruption policies and facilitating labour mobility. In addition, taking these factors into account can help avoid negative social, economic and political consequences that may result from inadequate management of these processes. Therefore, this topic is relevant for academic research and the development of appropriate management strategies. The purpose of this article is to clarify the relationship between corruption and labour mobility in Ukraine and to develop ways to overcome existing problems in this area.

## **PREVIOUS RESEARCH**

Many contemporary scholars have studied issues related to corruption and labour mobility, but no separate comprehensive study has been conducted so far. Kovalev (2022b) analysed the current state of labour mobility of Ukraine's intellectual potential, identifying the most important factors that facilitate and impede the use of professional knowledge and skills by the population of Ukraine for the development of the country's economy. Zherybylo (2020) studied the problem of mass migration of labour resources from Ukraine abroad in the context of modern reforms and high unemployment. Sokurenko (2022) studied the state's efforts to combat corruption in the security and defence sector and determined that they should be aimed at introducing effective and transparent procedures that allow for assessing corruption-related risks and ensuring effective and transparent governance, as well as at implementing a strong public information campaign on anti-corruption activities and providing the necessary support to anti-corruption structures. Koretska-Shukevich (2020) studied the definition of the concept of "corruption" in the science and legislation of Ukraine. The researcher analysed the theoretical approaches of scientists and the legislative definition of the term, identifying discrepancies between them. The researcher also analysed the relationship between the norms of different branches of law in combating corruption and identified possible solutions to these problems. Politova (2022) studied the fight against corruption in Ukraine in the context of European integration. She identifies corruption as one of the most pressing problems requiring constant attention and examines the reforms that were carried out after the Revolution of Dignity in 2014 and 2020 – 2021.

Considering the foreign researchers who studied the issue of corruption in the labour sector of economy, the work by Howard (2020) should be mentioned. The researcher explores the relationship

between labour mobility, the housing market, and economic demand. He analyses how changes in the housing market affect labour mobility, in particular, how the availability of housing can stimulate or deter labour movement. The study shows that housing market conditions are important factors that can accelerate or slow down labour migration and suggests new approaches to assessing the impact of housing policies on labour mobility. Jeffers (2024) examines how restrictions on labour mobility affect corporate investment and entrepreneurship. He analyses the relationship between the freedom of labour movement and the level of investment in companies, as well as the impact on the creation of new enterprises. The study shows that restrictions on labour mobility can negatively affect firms' investment decisions and reduce entrepreneurial activity, highlighting the importance of open labour markets for economic growth and innovation. Economists like Varvarigos and Arsenis (2015) and Akimoto (2021) focus on the effects of corruption on human capital and the labour force, highlighting how corrupt practices influence educational outcomes, labour skills, and overall productivity. This body of research illustrates the broader implications of corruption on labour dynamics, particularly in developing economies where labour protections are weaker.

## **CURRENT RESEARCH**

This research paper is focused on an in-depth study of the relationship between corruption and labour mobility in Ukraine, predominantly on the legal aspects of these phenomena. This research is relevant in the current context in which Ukraine is facing numerous challenges in the field of economic development and social stability. The research objectives involve examining the mechanisms of corruption's impact on labour mobility, analysing existing legislative initiatives and practices, and identifying the main barriers to the efficient functioning of the labour market. One of the key objectives is to investigate how corruption at various levels, from government agencies to the private sector, affects employment opportunities, including the transparency of recruitment, paperwork, and social benefits. This research paper also analyses the impact of corrupt practices on migration attitudes, in particular on people's willingness to seek work abroad or in the informal sector.

The purpose of this research is to establish a clear interdependence between corruption and labour mobility, as well as to develop recommendations for overcoming existing problems in this area. This paper aims to propose specific legal and administrative measures that can increase the effectiveness of anti-corruption mechanisms, facilitate greater labour mobility, and ensure better working conditions.

To achieve these goals, the methods of general analysis, modelling, and functional and system-analytical analysis will be used. These methods will enable a detailed examination of the essence of the phenomena, facilitate the identification of their impact on the labour market, and support the formulation of specific recommendations for enhancing legislative initiatives aimed at combating corruption.

In addition, it is important to emphasize the importance of a comprehensive approach to this problem, which will not only avoid the negative consequences of corrupt practices but also create a favourable environment for the development of a competitive labour market. This study holds the

potential to make a substantial contribution to the advancement of legal and social mechanisms designed to combat corruption and enhance labour mobility in Ukraine.

## **METHODS**

The methodological foundation of this study is comprised of a range of general philosophical, general scientific, and specialised scientific methods of inquiry. The application of these methods is dictated by the object and subject of the study and is aimed at addressing the research objectives, thereby ensuring the reliability of the scientific results and a comprehensive examination of the issue at hand. Specifically, the utilisation of specialised methods of scientific knowledge, such as structural and functional analysis, enabled the definition of corruption as a multidimensional, systemic phenomenon and facilitated the assessment of its impact on labour mobility and labour law.

The use of generalisation and modelling methods in the study of corruption in labour law and labour mobility in Ukraine has proven to be highly effective and productive. The following achievements and important results were made possible by these methods. The study enabled the identification of critical areas for the development of a system to combat corruption in the realm of labour law and mobility, including the enhancement of legislative effectiveness and administrative procedures. These include improving the effectiveness of legislation and administrative procedures. The use of modelling enabled us to understand the complex interrelationships between various factors that contribute to the spread of corruption in this area. This made it possible to identify corruption risks and predict the possible consequences of implementing various counteraction strategies. Based on the findings, specific recommendations were developed to improve anti-corruption mechanisms. These recommendations include legislative initiatives, administrative measures, political strategies, and institutional development. The effectiveness of the proposed anti-corruption measures was assessed through modelling and analysis. This made it possible to identify the most promising and effective approaches and allocate resources for their implementation. Thus, the use of generalisation and modelling methods allowed not only to identify promising areas for combating corruption in the field of labour law and labour mobility in Ukraine, but also to provide specific recommendations for their implementation to improve the situation in these areas.

Studying labour mobility in Ukraine, Kovalev (2022a) utilized generalization to collect and synthesize data from various sources, identifying critical factors that facilitate or impede the use of professional knowledge and skills. This approach highlighted systemic vulnerabilities such as regulatory barriers and socio-economic conditions which drive intellectuals abroad. Modelling techniques were also utilised to simulate the effects of proposed interventions, allowing Kovalev to visualize potential outcomes of legislative changes aimed at retaining skilled professionals and enhancing economic growth. Similarly, Zherybylo (2020) studied the mass migration of labour resources from Ukraine, using generalization to gather data on migration patterns and economic conditions. His study identified key drivers of migration, such as economic instability and wage disparities, while modelling helped predict the impacts of policy responses like enhanced social security measures and job creation initiatives. Both researchers effectively integrated generalization and modelling to

inform policymakers, providing actionable insights into the complex challenges of labour mobility and corruption in Ukraine, and ultimately fostering a more resilient economy.

The use of the systematic analytical method in the study of labour mobility and corruption proved to be very useful and effective in clarifying the essence of these key concepts and their interconnection. The systematic analytical approach allowed for a detailed analysis of such key terms and concepts as “labour mobility” and “corruption”, thereby minimising misunderstandings and clarifying their essence within the context of the study. Determining the relationship: The systemic-analytical method allowed us to analyse and determine the relationship between labour mobility and corruption. This helped us to understand how corruption can affect labour mobility processes and how this mobility, in turn, can facilitate or prevent the spread of corruption. Using a systematic and analytical approach, the main factors of corruption risk in the context of labour mobility were identified, as well as the reasons why people abuse power or interfere in migration processes. Based on the data and analysis, specific strategies and measures to combat corruption in labour mobility were developed. These strategies accounted for all aspects of the identified problem and were aimed at improving the situation. Thus, the systematic-analytical research method not only clarified the essence of key concepts and identified their interrelationships but also contributed to the development of specific strategies and measures to combat corruption in labour mobility.

Sokurenko (2022) studied the issue of combating corruption in Ukraine’s security and defence sector and employed a systematic analytical method to evaluate the effectiveness of state efforts. By using this approach, Sokurenko identified the need for effective and transparent procedures to evaluate corruption-related risks and promote good governance. His research highlighted the importance of implementing strong public information campaigns on anti-corruption activities and providing adequate support to anti-corruption structures. Similarly, Koretska-Shukevich (2020) analysed the definition of “corruption” in Ukrainian scholarship and legislation, employing a systematic analytical framework to explore theoretical approaches and legislative definitions. The researcher identified discrepancies between these definitions and examined the interrelationships among various branches of law in combating corruption, which led to insights on possible solutions for addressing these discrepancies. Overall, the systematic analytical method has proven effective in clarifying key concepts such as labour mobility and corruption, enabling researchers to determine their interconnections. This approach facilitated the identification of corruption risk factors related to labour mobility, understanding how corruption influences these processes and how mobility can, in turn, impact corruption dynamics. Based on their findings, both Sokurenko and Koretska-Shukevich were able to propose specific strategies and measures to combat corruption, enhancing the understanding of these complex issues and contributing to the development of effective policies.

The use of functional analysis in the study of labour mobility and corruption allowed us to systematise and define the essence of these phenomena. By analysing the functions and interrelationships between the elements of the system and their impact, the key aspects of labour mobility and the mechanisms of corruption in this area were identified. Such analyses enabled not only an understanding of the essence of the problem but also the identification of ways to overcome it. Compliance with the requirements of formal logic in formulating conclusions and proposals is key to ensuring the reliability and consistency of the research results. This ensures the validity of the

conclusions and the reliability of the analysis. The relevance of the proposals to the purpose of the study and their validity is based on logical regularities, which allows the developing of effective strategies to overcome the problem of corruption in labour mobility. This approach contributes to the rational use of the results obtained and the development of specific measures to increase the transparency and effectiveness of anti-corruption mechanisms.

Politova (2022) employed functional analysis to assess the relationship between corruption and labour mobility in Ukraine, particularly in the context of European integration. By examining reforms following the Revolution of Dignity in 2014 and between 2020 and 2021, Politova identified corruption as a critical issue requiring continuous attention. The functional analysis method allowed for a systematic evaluation of the mechanisms contributing to labour mobility and corruption, clarifying the essence of the problem and identifying effective strategies for addressing it. By adhering to formal logic in her conclusions, Politova ensured the reliability of her findings, supporting proposals that align with the study's objectives. This approach facilitated the development of specific measures to enhance transparency and effectiveness in anti-corruption efforts, contributing valuable insights into the complex dynamics between labour mobility and corruption.

## **RESULTS**

Labour mobility is a characteristic feature of the labour force, describing its readiness and ability to change jobs under the influence of objective and subjective reasons. As an asset of human capital, labour mobility is characterised by an individual's ability to quickly adapt to new living conditions, desire and ability to improve and purposefully change their social status, professional affiliation, employment, type of work, workplace, and place of residence. In addition, it reduces tensions in regional and national labour markets and helps to meet the labour needs of reviving or newly formed industries to the best of its ability. In other words, labour mobility is the ability of employees to adapt to changing production conditions, to change labour functions and places of employment, readiness to improve their skills, master new professions, as well as a set of real processes of movement of labour resources in the economic and geographical space. It is a necessary attribute of market relations and a process in which labour potential is reproduced and conditions for free personal development are created. The labour market, in turn, acts as a stimulant, pushing skilled workers to find places where they can better use their skills and abilities, as well as jobs with high creative content and remuneration (Jeffers, 2024).

The positive effects of labour mobility for workers include labour migrants learning the norms and values of the market economy, gaining work experience, and improving professional knowledge and abilities. Former labour migrants can, under certain favourable circumstances, start their businesses and even create new jobs. On the negative side, the researcher argues that a change of workplace signifies the termination of previous employment relations, leading to a decrease in employment stability and a reduction in the quality of labour capital, which combines the knowledge, skills and abilities of an employee within the enterprise where they were acquired. It also results in the deformation of the gender and age structure of the population, levelling the motivation to seek employment at the place of residence, etc. (Kovalev, 2022a).

In Ukraine, labour mobility issues are regulated by the Constitution of Ukraine, the Labour Code of Ukraine, by-laws, collective bargaining agreements, and labour contracts. Specific laws in Ukraine that regulate various aspects of labour relations and employment include the Law of Ukraine "On Employment of the Population", the Law of Ukraine "On External Labour Migration", the Law of Ukraine "On Labour Protection", the Law of Ukraine "On Compulsory State Social Insurance in Case of Unemployment", the Law of Ukraine "On Collective Bargaining Agreements and Agreements".

Labour mobility is closely related to the freedom of choice of employment, a large number of job offers and competition among employers for quality labour. Its most important areas are: 1) interprofessional within the region, which is based on employees changing their professions and specialities to change jobs within their organisation or outside it by joining another organisation; 2) interregional within the country, which takes place from regions with fewer to regions with more employment opportunities, i.e. those with a less tense labour market situation; 3) interstate mobility in the form of external labour migration, which takes place from underdeveloped, and especially least developed countries, to countries with highly developed economies (Howard, 2020).

It should be noted that, in the context of the deep crisis gripping Ukraine's economy, the positive role of all these directions of labour mobility as self-regulators of the labour market is extremely important, as it helps to ensure a labour market environment where demand for labour meets supply; the redistribution of labour in line with changes in the labour market and, consequently, production needs; increase in employment and reduction of unemployment (Volkivska & Nikolaychuk, 2021).

An integral part of labour mobility in any country is the territorial movement of the population seeking new employment opportunities. Labor migration, like other forms of population migration, influences the quality and professional composition of the workforce and affects the overall supply in regional labour markets (Blackburn & Forgues-Puccio, 2010).

In the context of Ukraine, population migration plays a significant role in shaping the current labour market. This process of movement influences both the quantitative and qualitative parameters of the labour market. For instance, the inflow of individuals to specific regions and the outflow of others with particular social, demographic, and professional characteristics directly impact the size and composition of the overall population, thereby affecting labour supply indicators.

At the same time, migration can serve as a very effective practical tool for regulating both regional and national labour markets, helping to balance labour supply and demand by stimulating the territorial mobility of the population in the right direction. The greater the intensity of the territorial movement of the working-age population, the faster and more unemployed citizens will find new jobs, and the lower the level of frictional and structural unemployment in the region and the country as a whole (Moeis et al., 2020).

Today, there is a global migration mobility of the population and large migration movements of labour resources mainly outside the country, which reflect the situation in the country's labour market. Previously, the main reasons for mass migration of labour abroad were: inefficient use of labour; lack of socio-economic conditions that would ensure utilisation of workers' skills for relatively high pay in productive work; growing mismatch between the actual professional and qualification structures of labour supply and labour demand; high proportion of unemployed individuals

with higher education; and unpopularity of teachers, lecturers, researchers, and other professionals due to low wages (Yaroshenko et al., 2023b).

This, in turn, causes significant challenges for the domestic labour market: the loss of the labour force, and the outflow of highly qualified specialists and young people, which are threatening factors for the country's economy, especially in the period of post-war recovery period. Although people forced to leave the country during the war have a high return potential (mostly women and children left, while men were forced to stay in the country), only 17% of them have jobs in Ukraine and are working, and 19% have jobs but are not working (hidden unemployment) (Pyshchulina et al., 2024). Therefore, in the areas where the intensity of hostilities is low, it is already necessary to look for opportunities and engage the working-age population in labour activity as much as possible, using flexible forms of employment to revive enterprises, reconstruct infrastructure, and restore the trust and expectations of Ukrainian citizens (Tacconi & Williams, 2020).

Today, the national labour market is unable to develop without professional mobile workers who are able not only to quickly adapt to the growing complexity of new equipment and technologies but also to apply their knowledge as efficiently as possible in the present. Therefore, ensuring labour mobility remains important for attracting labour in wartime and during the period of economic recovery, which determines the level of adaptability to changes in the conditions of work and helps meet the needs of enterprises in labour. To preserve the workforce and minimise the process of its depletion from Ukraine, including the outflow of young people and workers with established qualifications and professional skills, an important task is to create jobs at modernised, restored, and newly established enterprises. Significant reserves in this area lie in the use, further development, and spread of flexible forms of labour organisation and remuneration (Zherebylo, 2020).

To date, the state has already taken several important measures to support Ukrainian business and the working population, including the adoption of the following: The Law of Ukraine "On the Organisation of Labour Relations under Martial Law" of 15<sup>th</sup> March 2022 No. 2136-IX; Resolution of the Cabinet of Ministers of Ukraine "Some issues of remuneration of employees of state bodies, local self-government bodies, enterprises, institutions and organisations financed or subsidised from the budget under martial law" of 7<sup>th</sup> March 2022 No. 221, "Some issues of registration, re-registration of the unemployed and keeping records of job seekers, calculation and payment of unemployment benefits for the period of martial law" of 19<sup>th</sup> March 2022. No. 334. It is important to adopt the Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Providing Employers with Compensation for Labour Costs for Employment of Internally Displaced Persons as a Result of Hostilities during Martial Law in Ukraine" of 20<sup>th</sup> March 2022 No. 331, which helps to provide jobs for the maximum number of citizens in regions where there are no active hostilities and to create new sectoral and geographical vectors of employment in Ukraine (Kovalev, 2022b).

A significant step was the adoption on 21<sup>st</sup> September 2022 of the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Reforming the Employment Service, Social Insurance in Case of Unemployment, Promoting Productive Employment of the Population, Including Youth, and Introducing New Active Labour Market Programmes" No. 2622-IX, which significantly updated the content of the Law of Ukraine "On Compulsory State Social Insurance in Case of Unemployment" No. 1533 and the Law of Ukraine "On Employment of the Population" No. 5067. Thus,

the types of social services under the Law on Social Insurance in Case of Unemployment and the Law on Employment include other employment promotion programmes introduced by separate decisions of the Cabinet of Ministers of Ukraine. According to the amendments to Article 14 of the Employment Law, a new category of persons with additional guarantees in employment promotion will be provided, namely "other categories of citizens determined by the Cabinet of Ministers of Ukraine, taking into account the situation on the labour market, as well as the establishment of quarantine, the occurrence of an emergency, the introduction of a state of emergency or martial law in the country" (Mamai, 2023).

Corruption is one of the main factors that pose a real threat to security, democratic development of the state and society, and the constitutional order: namely, it undermines the authority of the country, harms the democratic principles of governance of society, the functioning of the state apparatus, restricts the constitutional rights and freedoms of man and citizen, especially ordinary people, violates the rule of law, violates the established procedure for the exercise of powers by officials and employees of public authorities, management structures of the private sector (Nalyvaiko & Shevchenko, 2021). That is why fighting corruption is one of the state's priorities.

Ukraine is on the path to building a state governed by the rule of law and faces numerous challenges along the way. One of the most dangerous is corruption, which permeates virtually all social relations, as well as state and local government bodies. Corruption is constantly changing, developing, and adapting to new conditions. New forms of its manifestations appear, and new aspects of social relations emerge, where the latter becomes the norm. Corruption has been "accompanying" the economic and cultural development of all countries for centuries. The scale and consequences of corruption processes in all countries of the world require the relevant state and international institutions and organisations to constantly and in-depth analyse its causes to neutralise it and develop measures to overcome it (Koretska-Shukevich, 2020).

The main international standards for the prevention of corruption include UN documents: the UN Convention against Corruption, the UN Declarations on Combating Corruption and Bribery in International Business Transactions and on Crime and Public Safety, the International Code of Conduct for Public Officials, and the Code of Conduct for Law Enforcement Officials; Council of Europe acts: the Civil Convention on Corruption, the Twenty Principles on Combating Corruption, the Model Code of Conduct for Civil Servants. In Ukraine, the relations arising in the field of corruption prevention are regulated by the Constitution of Ukraine, international treaties ratified by the Verkhovna Rada, the Law on Prevention of Corruption and other laws, as well as other regulations adopted for their implementation (Vian, 2020).

Ukraine has become known to the world community as a country where corruption is a serious problem affecting all areas of life, including the labour market and labour mobility. The high prevalence of corruption in the selection of job candidates means that qualified workers may be limited in their ability to find employment, as bribes or personal connections, rather than their skills and experience, maybe the deciding factors. The unstable labour market situation is also caused by a lack of transparency and fairness in working conditions, which leads to a decrease in motivation for labour mobility. Unequal access to employment opportunities due to corruption limits the ability of employees to choose the best options for career growth and development (Topchii et al., 2021).

In addition, corruption fosters monopolies and limits competition in the labour market, making it difficult for the unemployed to find work and limiting the ability of workers to receive fair wages and working conditions. This, in turn, increases social inequality and deepens poverty among the population. Ukraine faces the problem of corruption, which has a major impact on unemployment, employment opportunities, and wages. For example, corrupt schemes can provide many businesses with an advantage in the form of cheap labour or tax evasion, which distorts competition in the labour market and limits opportunities for new business development and job creation. Corruption can also create obstacles for businesses that operate in a fair environment and affect their ability to increase output and wages for their employees (Piskunova, 2021).

In Ukraine, the relationship between corruption and labour mobility can be observed in different areas. Ukraine faces the problem of corruption in labour mobility, which often manifests itself through the payment of bribes to secure a job or obtain visas. For example, young professionals intending to work abroad or obtain work visas may be obliged to pay bribes to officials or intermediaries who influence the decision-making process. This phenomenon in Ukraine not only creates negative conditions for young professionals seeking to realise their potential abroad but also violates the principles of fairness and equality of access to employment opportunities.

Such actions violate the law and international anti-corruption standards and hinder the country's economic and social development. To prevent this phenomenon, it is necessary to take effective measures, such as strengthening control over the activities of migration institutions, introducing electronic systems to reduce the opportunities for bribery and enabling citizens to file complaints about corruption in this area. Only if corruption in the field of labour mobility is systematically tackled can real opportunities for the country's development and improvement of the citizens' quality of life be provided.

Ukraine, like many other countries, also faces the problem of falsification of documents when applying for work visas or employment abroad. For example, individuals intending to work abroad may attempt to prove their work experience or education with fake documents. This may include submitting fake diplomas or certificates of course completion, as well as providing false information about previous jobs or skills acquired (Boulter, 2017).

A situation in which individuals use false documents to obtain work visas creates unfair competition among other workers and may result in honest candidates not being offered employment opportunities due to competition from fraudsters. In addition, document fraud can undermine the credibility of the migration control system and lead to illegal actions by intermediaries or officials who make decisions on work visas. This may include extortion of bribes or misconduct by intermediaries during the processing of documents (Kvasha, 2020).

To combat this phenomenon, it is crucial to improve document verification systems, increase administrative liability for document forgery, and raise awareness of the consequences of such actions. Only through effective control measures can document fraud be reduced and trust in the migration control system be maintained.

Ukraine also faces the problem of officials using their powers to obtain employment or visas for themselves or their relatives (Yaroshenko et al., 2023a). This practice can impede transparent and fair

migration and employment procedures. For example, Ukrainian officials may use their influence to obtain work visas for themselves or their relatives by circumventing existing laws and procedures. This can lead to undue benefits for officials and their families, while other citizens who follow the rules may be left without the opportunity to obtain a work visa or work abroad.

In addition, such practices undermine trust in the migration control system and may create the perception of a lack of transparency and fairness in decisions on work visas. This can affect the country's investment climate and threaten its international reputation. To ensure that officials do not use their power for undue gain, it is necessary to strengthen anti-corruption measures and ensure independence and transparency in decision-making on migration issues. It is also important to establish effective monitoring and accountability mechanisms to detect and prevent the abuse of power in the migration sector. Only under these conditions can fair and equal access to migration opportunities be ensured for all Ukrainian citizens.

On the other hand, labour mobility can affect the level of corruption by redistributing resources and changing the conditions of competition in the labour market. For example, when workers can quickly change jobs and move to enterprises with better conditions, it forces employers to create more attractive conditions for their employees, including higher wages and better working conditions. Additionally, competition for talented workers may force businesses to maintain high standards of ethics and transparency to preserve their reputation and attract the best employees (Politova, 2022).

Today, Ukraine is only in the process of taking the necessary measures to combat corruption in the labour sector. Under Article 21 of the Labour Code of Ukraine, any discrimination in the field of labour, including violation of the principle of equality of rights and opportunities, direct or indirect restriction of employees' rights depending on the reporting of possible facts of corruption or corruption-related offences, other violations of the Law of Ukraine "On Prevention of Corruption", as well as assistance to a person in making such a report, based on language or other grounds not related to the type of work or conditions of its performance, is prohibited. For the successful implementation of this regulation, Ukrainian society needs to accelerate the release of the national consciousness from the framework that has been preserved since the Soviet era and has been hindering the development of the Ukrainian people and the state as a whole for more than 30 years.

It is worth mentioning that there are manifestations of corruption at the local level already during the existence of labour relations. Here, the subject of an unlawful act is an employee who is involved in the distribution of resources of an enterprise, institution or organisation, but is negligent in their duties and confidently takes advantage of the temporary low probability of no punishment. The state's tolerance of such unlawful acts leads to the continued formation of internal lawlessness in the minds of people. Therefore, not only at the legislative level, but also through preventive measures, the state must conduct a fundamentally tough, sanctioned fight against corruption in the labour sector to prevent its minimal manifestations (Prykhodko, 2020).

According to Article 1 of the Law of Ukraine "On Prevention of Corruption" (Verkhovna Rada of Ukraine, 2014), the state provides for anti-corruption expertise, which consists of identifying provisions in legal acts, draft legal acts that, alone or in combination with other norms, may facilitate the commission of corruption offences or offences related to corruption. The population of Ukraine

should be ensured not only at the formal level but also at the internal level of each person that they are obliged to comply with anti-corruption legislation. Reducing corruption in labour relations should also take on a binding form, which will allow state authorities to independently and objectively assess both existing and draft legal acts.

Taking into account the scientific approach to the study of labour-related offences (torts), including both actual detected corruption and hidden (latent) manifestations, it is necessary to adopt a comprehensive approach to studying the causes and conditions, as well as search for ways to solve the so-called "labour torts", which include both corruption and disciplinary offences that may be committed by unscrupulous officials who have administrative influence in the course of labour activity, as well as access to material resources. Examples of corrupt acts include the use of official positions for personal enrichment, prioritising the hiring of certain citizens over others, etc.

In qualifying corruption offences in the field of labour relations, it is necessary to distinguish them from other offences related to the exercise of powers by public authorities in both the public and private spheres of labour relations, as well as the performance of duties in the field of labour by officials who have been delegated authority. The specific features of this distinction are: 1) absence of signs of corruption; 2) violation of the requirements and prohibitions established by the Law of Ukraine "On Prevention of Corruption"; 3) committed by a person specified in the Law of Ukraine "On Prevention of Corruption"; 4) establishment of another type of legal liability (criminal, disciplinary, civil, administrative) (Nalyvaiko & Shevchenko, 2021).

To compel the manager to maintain impartiality and fairness in terms of administrative management, it is necessary for the state to take an uncompromising and unrelenting approach to labour abuses, alongside the involvement of public control. Total public control with expanded executive powers will have a direct impact on the consciousness and morality of the population. The result of such measures will be the gradual formation of the belief among every citizen of Ukraine about their security. Ordinary people will be free to exercise their rights and freedoms, which will form a real, new mentality based on the vision of the reality of life, both in current and future generations (Sokurenko, 2022).

Government agencies in shaping a new policy among employers that minimises the corruption factor.

## **DISCUSSION**

In recent decades, Ukraine has implemented several measures to address labour market issues and combat corruption. For example, in 2016, the Labour Code was amended to simplify the procedures for concluding employment contracts and to promote flexible forms of employment. This has increased the level of legalization of labour relations, although corrupt practices in the labour sector persist. In 2019, the Ministry for Development of Economy, Trade, and Agriculture was established to coordinate labour market reforms and anti-corruption efforts. This facilitated a focus on the effectiveness of employment and social protection policies, but the results have been mixed.

In 2020, an electronic system for recording sick leave was introduced, reducing opportunities for abuse. According to the Ministry of Social Policy, this measure has led to a reduction in sick leave

fraud. Anti-corruption legislation was also adopted, including the Law of Ukraine "On Prevention of Corruption" (Verkhovna Rada of Ukraine, 2014), which aimed to increase transparency in public procurement and finance. However, despite some successes, the level of corruption in Ukraine remains high, and the results of reforms have often been limited by insufficient political will and resistance.

In 2015, government programs were introduced to retrain and upgrade the skills of the unemployed, which has helped to increase the competitiveness of the workforce. However, the effectiveness of these programs varies by region and labour market needs. Ukraine has also received funding from international organizations, such as the World Bank and the International Labour Organisation, to implement reforms in the areas of employment and anti-corruption. These initiatives have contributed to the development of new policies, but their implementation has often been hampered by local challenges. As a result, despite these reforms and initiatives, Ukraine continues to face serious labour market and corruption issues. The historical context provides valuable insight into the current situation and underscores the need for further measures.

Throughout its existence as an independent state, Ukraine has viewed corruption exclusively from a criminal and administrative perspective, i.e. as a socially dangerous and harmful punishable act. Therefore, attention should be directed towards a practical area of law - labour law. To prevent and protect against corruption, it is necessary to introduce a state register of individuals dismissed due to corruption in the course of their work. This will allow employers to form an objective and realistic opinion about a candidate for a particular position when requesting information from government agencies. Additionally, it is necessary to enhance private law regulation in the fight against corruption in labour relations, develop modern mechanisms for collective bargaining, and recognize the role of digitalization in government agencies as a tool for shaping new policies among employers that minimize corruption.

The relationship between corruption and labour mobility requires a comprehensive approach to identify and implement effective countermeasures. Adequate legislation regulating migration processes, alongside effective law enforcement, can help reduce corruption. It is important to develop and implement strict anti-corruption legislation and ensure the independence and effectiveness of the authorities responsible for migration issues. Ukraine has been implementing reforms to its migration legislation to ensure greater transparency and protection against corruption. For instance, the adoption of a law on electronic passports and identity documents helps to prevent fraud and simplifies registration processes, thereby reducing opportunities for corruption in this sector. The Government of Ukraine is actively implementing anti-corruption measures in the migration sector. For example, the creation of specialised anti-corruption units that control the processes of obtaining work visas and other migration services helps to prevent corruption and bring perpetrators to justice. Furthermore, ensuring transparency and accessibility of information regarding migration rules and procedures is vital in the fight against corruption. For example, making work visa procedures publicly available can reduce the likelihood of corruption and increase the risk of detecting corrupt practices.

The use of electronic systems for processing documents and registering applications can reduce opportunities for corruption. Transparent and automated procedures help avoid contact with in-

intermediaries or officials who may demand bribes. Informing citizens about their rights and obligations in the field of migration can help reduce corruption. Training and educational programmes for citizens on work visa procedures and legal aspects of migration can raise their awareness and reduce the risk of becoming a victim of corruption. Effective mechanisms of administrative and criminal liability for corrupt practices in labour mobility are an important tool to counteract them. Relevant investigative bodies and judicial institutions should ensure investigation and punishment of perpetrators.

In order to stimulate labour mobility in Ukraine and reduce its restrictions due to corrupt practices, the following proposals should be considered. Improving legislation and regulations on employment, migration, and social protection of workers could stimulate labour mobility and reduce barriers to job transition. In Ukraine, there are some legal and administrative barriers that make it difficult to move between jobs and regions. These may include complexity of procedures for obtaining work permits in other regions or countries, uncertainty regarding migrant status, and other related factors (Politova, 2022).

Legislative improvements could include simplifying work permit procedures for both internal and international migration. This would help reduce administrative barriers that prevent workers from finding new jobs and developing their careers. In addition, it is important to improve social protection rules for workers who change jobs. This could involve ensuring access to health insurance, pension benefits and other social benefits for workers who change their place of residence and work. Strengthening the legal protection of labour rights is also important to encourage labour mobility. This may include protection of workers from discrimination in the workplace, guarantees of compensation in the event of dismissal, and other measures that provide stability and security for workers as they move from one job to another.

The creation of transparent and fair working conditions, as well as public ratings and job postings, will help ensure equal opportunities for all employees and increase their motivation for labour mobility. Investments in vocational education and skills development will enhance the competitiveness of workers in the labour market and make them more attractive to employers. Improving accessibility to different regions of the country through the development of transport infrastructure will help to increase the mobility of workers and the distribution of the labour force.

Establishing support programmes for employees wishing to work abroad, as well as simplifying procedures for obtaining visas and work permits in other countries, could stimulate international labour mobility. Promoting telecommuting, freelancing and flexible working can make mobility more accessible and attractive to workers. These measures could increase labour mobility in Ukraine and reduce the impact of corruption on the labour market (Kvasha, 2020).

Ukraine actively cooperates with other countries and international organisations to combat corruption in labour mobility. This cooperation is an important element in ensuring efficient and transparent migration processes. Additional examples of Ukraine's international cooperation in this area are presented below. Ukraine cooperates with the European Union in various projects aimed at increasing the transparency and efficiency of migration processes. For example, the EU programme "Support to Migration and Asylum Management in Ukraine" provides financial and technical support for the implementation of migration and anti-corruption reforms.

In addition, Ukraine collaborates with various international organisations, such as the International Organisation for Migration (IOM), in the fight against corruption in labour mobility. This cooperation may include exchange of experience, anti-corruption training and seminars, as well as joint development of strategies and programmes to prevent corruption.

Ukraine actively participates in international forums and conferences on migration and anti-corruption. This allows for the exchange of experiences and best practices with other countries and organisations and the search for joint solutions to effectively address problems in this area. These examples demonstrate that international cooperation is important for the successful fight against corruption in labour mobility, and joint efforts with other countries and international partners can help improve the situation and ensure transparent and fair migration processes.

## **CONCLUSIONS**

The findings of this study on the relationship between corruption and labour mobility in Ukraine exhibit both similarities and differences when compared with previous research. The similarities lie in the fact that all studies recognize the importance of corruption as a key factor affecting economic development, social stability, and labour migration in Ukraine. As in the works of Koval and Zherybylo, our study emphasizes the need to study the factors that facilitate or impede labour mobility, as well as the problem of mass migration caused by high unemployment.

At the same time, the main difference lies in the comprehensive approach to the analysis of corruption in the context of labour mobility, which has not been studied in detail in prior works. Our study includes aspects related to labour legislation, social protection, and the introduction of electronic systems that directly affect corrupt practices in the field of labour relations. This approach provides a deeper understanding of the specifics of the Ukrainian situation, whereas previous studies have focused on certain aspects of the problem. Thus, the results of this study complement the existing scientific achievements by providing new recommendations and strategies for overcoming corruption in the context of labour mobility in Ukraine.

The study of the labour market and corruption in Ukraine confirms that despite several measures, the effectiveness of reforms remains limited. Amendments to the Labour Code in 2016 facilitated the development of flexible forms of employment and the legalization of labour relations, but corrupt practices continue to exist. The establishment of the Ministry of Economic Development in 2019 helped to focus efforts on coordinating reforms, but the outcomes have been mixed.

The introduction of an electronic sick leave system in 2020 was a step in the right direction, which reduced fraud in this area. The high level of corruption in Ukraine persists despite legislative attempts, which is a sign of weak political will and resistance to change.

Although their effectiveness varies by location, state retraining programs for the unemployed, introduced in 2015, have increased the competitiveness of the labour force. These reforms have been supported by funding from foreign institutions such as the World Bank, but local challenges have made implementation difficult.

Among the key findings of the study is the necessity of creating a state register of those dismissed for corruption so that employers can fairly assess applicants. Increasing labour mobility can be facilitated, among other things, by establishing collective bargaining procedures and improving immigration, employment, and social protection legislation.

To further reduce the potential for corruption, computerized document processing technologies, increased availability of information, and transparent migration processes are needed. Increasing labour mobility will help ensure the rights of workers and improve working conditions.

For effective and transparent migration procedures, Ukraine should continue to cooperate with international organizations such as the International Organization for Migration to combat corruption within the field of labour migration. Ukraine's active participation in international forums enables the exchange of best practices and experiences, which can assist in improving the situation in the country.

Thus, overcoming difficulties in the labour market and tackling corruption in Ukraine requires a holistic approach to the formulation and implementation of reforms, taking into account both local and international elements related to labour mobility.

The results of the study of the relationship between labour mobility and corruption can benefit in many areas. Initially, they can become the basis for the creation of fresh state initiatives and tactics aimed at combating corruption in the spheres of labour and migration. This will improve the quality of laws and the efficiency of state institutions. Civil society can use this data to engage the public in monitoring changes and raising public awareness of corruption in the workplace. The findings could inform future research in the legal, economic, and social sciences. Additionally, in the context of reforms, these results can strengthen Ukraine's cooperation with foreign institutions such as the World Bank and the UN. Overall, the results have the potential for a positive impact on the reform of the labour system and the fight against corruption, which will improve the quality of life of the population and the stability of the economy.

One of the shortcomings of the study on the application of the results is that the conclusions are adapted specifically to the Ukrainian environment, which may complicate their application to other nations with different situations. Furthermore, judicial decisions may become less relevant due to changes in laws and corruption. The extent of the problem may not be fully understood due to a lack of data or knowledge, and proposals may meet resistance from the political establishment or insufficient funding. For the results to be effectively applied in practice, they must be modified.

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## **ODNOS IZMEĐU KORUPCIJE I MOBILNOSTI RADNE SNAGE: PRAVNI ASPEKT**

### **SAŽETAK**

U današnjem svijetu globalnih izazova i prijetnji, odnos između korupcije i mobilnosti radne snage ključni je čimbenik koji utječe na gospodarski razvoj, društvenu stabilnost i političku situaciju u zemljama. Proučavanje ovog odnosa otvara mogućnosti za razvoj učinkovitih strategija za borbu protiv korupcije i olakšavanje mobilnosti radne snage, što zauzvrat doprinosi konkurentnijim i stabilnijim društvima. Ovakvim se pristupom izbjegavaju negativne posljedice nedovoljnog upravljanja ovim pojavama te se pridonosi održivom gospodarskom i društvenom razvoju. Svrha je članka utvrditi odnos između korupcije i mobilnosti radne snage u Ukrajini te razviti načine za prevladavanje postojećih problema u ovom području. Korištenje metoda generalizacije, modeliranja, funkcionalne i sustavno-analitičke analize u proučavanju korupcije u području radnog prava i mobilnosti radne snage u Ukrajini pokazalo se vrlo produktivnim. Omogućilo nam je da definiramo bit fenomena, identificiramo njegov utjecaj te da se naposljetku izrade posebne preporuke za poboljšanje učinkovitosti antikorupcijskih mehanizama u tim područjima.

**Ključne riječi:** tržište rada, zapošljavanje, mobilnost, radna migracija, zaposlenik, korupcija.



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