

DOI: [10.55643/fcapter.2.49.2023.4016](https://doi.org/10.55643/fcapter.2.49.2023.4016)
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Received: 05/02/2023

Accepted: 30/03/2023

Published: 30/04/2023

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ECONOMIC AND LEGAL ANALYSIS OF SOCIO-ECONOMIC FACTORS OF THE EMERGENCE OF THREATS TO THE SYSTEM OF COUNTERACTING MONEY LAUNDERING AND TERRORISM FINANCING IN UKRAINE

ABSTRACT

The purpose of the article is to study the theoretical and applied principles of the economic and legal analysis of socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine. The results of the conducted research allow us to assert that socio-economic factors have a significant destabilizing effect on the system of counteracting money laundering and terrorism financing in Ukraine and provoke the intensification of the processes of the emergence of threats. The article analyzes the main approaches to determining the socio-economic factors of threats to the system of counteracting money laundering and terrorism financing in Ukraine, systematizes their list and singles out the most important ones. On the basis of a detailed study, an economic and legal analysis of socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing and their legislative regulation was carried out. It was established that among the most significant socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine are: (1) the growth of the shadow economy; (2) the deepening of corruption; (3) growth of the state budget deficit; (4) an increase in the number of crimes related to the legalization (laundering) of criminally obtained funds. The weakness of the current domestic legislation in terms of establishing responsibility for crimes containing signs of money laundering and terrorism financing was revealed, which requires its improvement in the direction of strengthening such responsibility. A list of measures of economic and legal regulation of socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine is proposed, most of which are in the area of harmonizing the current legislation of Ukraine with international and European norms, improving the supervisory activities of state regulators and the methodological tools of financial monitoring.

Keywords: factors, legalization (laundering) of money, risks, threats, socio-economic development, legal relations, economic and legal analysis, terrorism

JEL Classification: H56, O19

INTRODUCTION

The current stage of Ukraine's development as an independent, sovereign, legal and democratic state is characterized by active aspirations to integrate into the global system of world economic relations and become a full member of the European community. Ukraine has already taken significant steps towards European integration, which is evidenced by its acquisition of the status of a candidate for joining the European Union and the establishment of close cooperation with the participating countries. However, despite the positive aspects of such integration, there are certain risks and dangers associated with the presence of significant destabilizing factors that have a destructive effect on the processes and phenomena occurring in the economy, politics and society under the influence of mega-regionalization and geopoliticization. The current crisis situations are aggravated by the development trends of globalization, which provokes the

intensification of cross-border cooperation, the unification of financial systems and creates favourable conditions for the development of illegal economic activity, one of the directions of which is legalization (laundering) of money and the financing of terrorism. The formation of a reliable basis for the commission of illegal acts in the economic sphere, in turn, determines the need to find effective ways to counteract destabilizing factors, detect them in time and prevent risks, threats, challenges and dangers in order to make it impossible to use the national financial systems for the purpose of legalizing criminal income and financing terrorist activities. It is obvious that the mentioned trends indicate an urgent need for the formation of an effective system of counteracting money laundering and terrorism financing in Ukraine, capable of ensuring the functioning of anti-legalization economic and legal mechanisms, for which a qualitative assessment of the socio-economic factors of the emergence of threats that exert a destabilizing influence is necessary. The outlined trends testify to the extreme importance and relevance of the chosen research topic and require in-depth study.

LITERATURE REVIEW

The problems of intensification of the development and spread of legalization (laundering) of money obtained through criminal means and the financing of terrorism have become particularly acute under the influence of modern challenges and dangers, one of which is the full-scale military invasion of the Russian Federation on the territory of Ukraine and as a result of the deployment of active hostilities by the aggressor country. It is obvious that the disruption of stability and the unpredictability of further developments in the socio-political and socio-economic sphere create favourable conditions for the intensification of criminal activity, the accumulation of illegal capital and its legalization using the financial system, and the presence of significant financial resources obtained in an illegal manner, is aimed at supporting terrorist activities and financing Russia's war against Ukraine.

The mentioned problems are particularly significant and require due attention both at the national and international levels, therefore, the search for their solution is reflected in the scientific research of leading domestic and foreign scientists. In particular, M. Kryshchanovych, Ya. Pushak, M. Fleichuk and V. Franchuk carried out thorough scientific research on the identification of the influence of socio-economic factors on the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine [1, p. 8], in which a list of factors stimulating the emergence of threats is disclosed, among which socioeconomic factors are considered the most important.

In another study, M. Fleichuk [2, p. 64] gave a detailed list of socio-economic factors, which included: (1) an excessive level of shadowing of the economy; (2) shadow employment; (3) international migration; (4) increasing level of corruption; (5) growth of external debt; (6) deepening of the state budget deficit; (7) legalization of the economy; (8) offshoring of the economy.

The scientist's opinion is shared by Yu. Kharazishvili [3, p. 5–6], who conducted a study of destabilizing socio-economic factors that provoke the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine and intensify their negative effects. The scientist claims that such factors must be considered from the perspective of sustainable development of the country and insists on the need to adapt his new paradigm, according to the provisions of which there is a transformation of human relations with processes and phenomena observed in the surrounding world, in order to ensure the expansion of economic growth as a coordinated global strategy. Moreover, Yu. Kharazishvili offers his own modern concept of countering destabilizing factors in the context of the sustainable development of the country's economy from the point of view of the security position and the definition of a methodological toolkit of strategic guidelines for assessing the level of shadowing of the national economy and forming measures for its detinization.

Instead, A. Kuznyetsova, I. Tiutiunyk, Y. Panimash, Z. Zsolt & P. Zsolt [4] believe that the main factor of threats to the system of counteracting money laundering and terrorism financing is corruption, which participates in the accumulation of criminal income and, at the same time, helps launder (legalize) criminally obtained funds, hide the source of their origin and real owners.

Having systematized scientific approaches to the problem of researching the factors of threats to counteracting money laundering and terrorism financing system in Ukraine, M. Blikhar, L. Savchenko, I. Komarnytska, and M. Vinichuk [5, p. 102; 6] found that socio-economic factors that exert their influence on the legal and illegal sectors of the economy are especially dangerous in today's conditions. Moreover, the authors indicate that the most dangerous factors are the shadowing of the national economy and the spread of corruption. At the same time, the conducted economic and legal analysis of domestic anti-legalization legislation proves its excessive weakness in terms of establishing responsibility for illegal activities related to money laundering and terrorism financing.

A similar position is held by M. Guillermo [7], who emphasizes the growing scale of the spread of money laundering and terrorism financing in the modern world and believes that counteraction to these phenomena should be carried out at the international level, taking into account the efforts of national units of financial intelligence of the countries of the world, as well as involving subjects of primary financial monitoring. It is obvious that the development of information and technical communications simplifies the process of money laundering and terrorism financing, as a result of which there is a need to review the norms of international and national legislation and include in the types of responsibility for wrongful acts the relevant provisions regulating the behaviour of all subjects in the virtual environment.

At the same time, N. Schwartz, K. Chen, K. Poh, G. Jackson, K. Cao, F. Fernando and M. Markevych [8] claim that it is important to understand the risks and threats of money laundering and terrorism financing because the process of effective countermeasures requires monitoring of the causes of their emergence and spread, as well as the factors causing the negative effect.

In this context, J. Whisker and M. Lokanan [9] established that the threats of money laundering and terrorism financing are more active and likely to occur in countries with lower indicators of socioeconomic development, and financial systems of which are more vulnerable to destabilizing influence of factors of the external and internal environment. In addition, scientists see a special threat to the system of counteracting money laundering and terrorism financing in the intensification of the development of digital technologies and their involvement in the virtual financial and economic space, as a result of which the processes of carrying out financial operations and transactions in cyberspace are intensified.

I. Tiutiunyk, A. Kuznetsova & J. Spankova [21] based on the analysis of the research results, three hypotheses were put forward regarding the relationship between the analyzed indicators: there is a one-way connection between indicators of socio-economic development and the level of the shadow economy; there is a one-way cause-and-effect relationship between the level of the shadow economy and the socio-economic development of the country; there is a two-way relationship between the analyzed and tested indicators. Based on causal analysis, the scientists proved the main hypothesis that the growth of the shadow economy is accompanied by a decrease in the level of socioeconomic development of the country.

On the other hand, M. Zia, R. Abbas and N. Arshed [10] identify significant threats of money laundering and terrorism financing in various countries and are convinced that their intensification depends on factors of a socio-economic nature since uneven income distribution and significant social insecurity intensify illegal criminal activity and encourage the commission of these crimes. At the same time, scientists claim that it is impossible to ensure effective countermeasures against the mentioned destructive phenomena without effective regulatory and legislative support.

It becomes obvious that the problem of intensifying the negative impact of socio-economic factors of threats to the system of preventing and counteracting the legalization (laundering) of criminally obtained funds and the financing of terrorism is intensifying not only at the national level in Ukraine but is also particularly acute in other countries of the world. Existing scientific views prove that considerable attention is paid to its solution, however, effective methods have not yet been found, and the outlined problems are increasingly intensifying and acquiring a global and transnational character.

Taking into account the disappointing forecasts regarding the fight against the legalization (laundering) of criminally obtained funds and the financing of terrorism, a complex of appropriate measures for their prevention and counteraction has been formed in Ukraine, the implementation of which takes place on the basis of current normative-legal and legislative acts. In this context, it is worth noting that in accordance with the main directions of the development of the system of prevention and counteraction to the legalization (laundering) of criminally obtained funds, the financing of terrorism and the financing of the proliferation of weapons of mass destruction for the period until 2023 and the plan of measures for their implementation [11], laundering of criminal funds and financing of terrorism in today's conditions are considered one of the biggest threats to Ukraine and other countries of the world, therefore the formation of a system for their prevention and counteraction is transformed into a priority vector of ensuring the economic security of the state and is its fundamental element. Moreover, laundered funds are in circulation and are systematically used to commit new crimes, in order to evade responsibility for them, and are also directed to the development of organized crime.

As for the problems of financing terrorism and effective counteraction to this destructive phenomenon, it is worth noting that this problem became especially relevant in Ukraine, starting from 2014, when the problems of intensifying socio-political and socio-economic crises got worse, when the Autonomous Republic of Crimea was annexed and the significant territories of Luhansk and Donetsk regions were occupied, where militant criminal groups began to form, the activities of which include manifestations of separatism and terrorism.

Considerable attention is paid to the regulation of problematic aspects related to socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine by their regulation in

legislative and regulatory acts. In particular, the definition of the legal mechanism for preventing and counteracting the legalization (laundering) of criminally obtained funds, the financing of terrorism, and the financing of weapons of mass destruction are provided for by the Law of Ukraine "On Preventing and Counteracting to Legalization (Laundering) of the Proceeds from Crime, Financing of Terrorism, and Financing of Proliferation of Weapons of Mass Destruction" [12], in which socio-economic factors of threats to the system of counteracting money laundering and terrorism financing in Ukraine are considered to be dangers, the violation of the optimality of which leads to the realization of opportunities to engage in illegal activities carried out for the purpose of money laundering and/or terrorism financing. In addition, the specified legislative act provides for the specifics and conditions of the formation and functioning of the national system of combating money laundering and terrorism financing in Ukraine, designed to prevent negative manifestations of destabilizing factors. Therefore, in order to ensure the effectiveness of the functioning of such a system at the legislative level, the Cabinet of Ministers of Ukraine approved the Main directions of the development of the system of prevention and counteraction to the legalization (laundering) of criminally obtained funds, the financing of terrorism and the financing of the proliferation of weapons of mass destruction for the period until 2023, as well as the plan of measures for their implementation [11], which provide for the determination of actual threats and outline the directions of the state policy of minimizing their impact in order to achieve the desired socio-economic effect.

However, despite significant scientific achievements in the study of socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine and their economic and legal support, it has not yet been possible to solve the outlined problems, and the growing trends in the commission of criminal acts in the socio-economic sphere indicate their deepening.

AIMS AND OBJECTIVES

The purpose of the article is to study the theoretical and applied principles of the economic and legal analysis of socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine. In order to achieve the set goal, it is necessary to solve the task of clarifying the essence of socio-economic factors that lead to the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine; to identify problematic aspects of their economic and legal analysis; to study the current state and trends of changes in socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine; to determine strategic orientations of the economic and legal analysis of socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine.

METHODS

The methodological basis of the research is fundamental scientific developments in the outlined field, as well as general scientific and special methods of economic analysis, namely: determination of the essence of socio-economic factors that lead to the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine is carried out using the method of systemic analysis, synthesis and scientific abstraction; applied studies of socio-economic factors that lead to the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine are carried out using the method of statistical analysis, observation and comparison; identification of problems of economic and legal analysis of socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine is carried out on the basis of a functional and systemic approach and comparative analysis; the formation of the results of the conducted research and the formulation of the corresponding conclusions are made using the method of generalization and systematization.

RESULTS

The strengthening of the negative influence of the factors of globalization and geopoliticization causes the aggravation of destructive changes in socio-economic factors of the development of processes and phenomena at the national level and leads to the imbalance of the existing order and the occurrence of unpredictable events. As theoretical studies prove, in Ukraine, under the influence of modern challenges and dangers, the phenomena of money laundering and terrorism financing, which are constantly acquiring increasing scales and spreading to various spheres of the economy, politics and society, have significantly intensified. It has been established that the cause of such crisis situations is the destabilizing influence of socio-economic factors that change the optimal parameters of the functioning of socio-economic and socio-political processes and lead to the violation of the functional orientation of the system of counteracting money laundering

and terrorism financing due to the influence of risks and threats on it. The indicated trends determine the need for deepening the research of such socio-economic factors and determining the dynamics of their change during 2010–2022.

The existing scientific approaches to the selected issues allowed us to identify the most significant socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine, the list of which includes the processes and phenomena that have the greatest impact on the anti-legalization system, among which the increase in the level of shadowing of the national economy is noted, the empirical studies of which are shown in Figure 1.

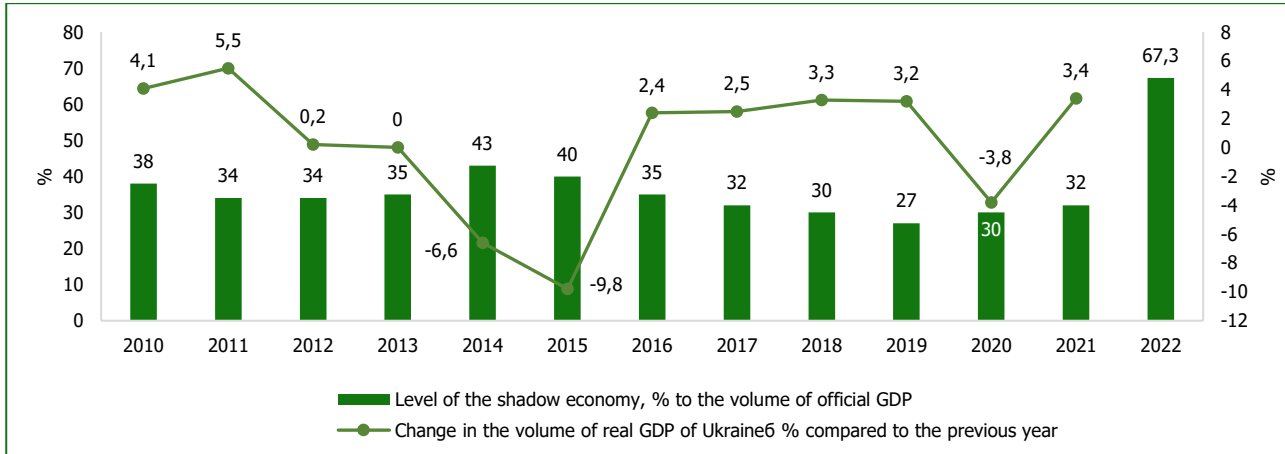


Figure 1. State and dynamics of changes in the level of the shadow economy and changes in the volume of real GDP of Ukraine in 2010–2021, %. (Source: calculated on the basis of: [13, p. 2.; 14, p. 2; 15])

As evidenced by the results of the research, during 2010–2021, the cyclical nature of the increase in the level of the shadow economy is observed in Ukraine, and its highest volumes are recorded in the years of aggravation of socio-political and socio-economic crises, in particular, during 2010–2012, downward trends were recorded regarding the value of the integral indicator of the level of shadow economy from 38% in 2010 to 34% in 2012. Starting from 2013, the level of the shadow economy increased to 43% in 2014 and slightly decreased in 2015 to 40% (Revolution of Dignity, reformatting of political power, the start of Russia's hybrid war against Ukraine, the annexation of Crimea and the occupation of large areas of Donbas). In 2016, the level of the shadow economy was regulated, and its value was reduced to the pre-crisis level of 2013 (35%). Then, until 2019, insignificant but stable trends were recorded regarding the decrease in the level of the shadow economy, which at the end of the period reached 27% of the official GDP. The 2020–2021 period again showed growing dynamics, which was provoked by the crisis phenomena of the spread of the COVID-19 pandemic and the introduction of significant bans on economic activity, as a result of which a significant share of economic activity moved from the legal sector of the economy to the shadow sector.

It should be noted that in 2022 the situation regarding the growth of the level of the shadow economy deepened even more under the influence of the full-scale invasion of the Russian Federation on the territory of Ukraine and the conduct of active hostilities on a significant territory of Ukraine, however, it has not yet been possible to calculate the integral indicator of the level of the shadow economy, which is due to the impossibility of obtaining data from the territories under occupation, as well as the impossibility of accessing them and conducting relevant assessments.

Nevertheless, certain developments in this direction were made by the Austrian scientist F. Schneider [15], who, in accordance with his own methodology for assessing the level of the shadow economy, carried out its calculations for Ukraine and established that in the pre-war period, its volume was about 50–55% of the official GDP of the country, which is much higher than the published data of the Ministry of Economy of Ukraine, which are calculated according to the domestic methodology, and during the war, the level of the shadow economy, according to F. Schneider, reached a mark of 67.3% of GDP.

Another, no less significant socio-economic factor of the emergence of threats to the system of counteracting money laundering and terrorism financing is corruption, the level of which in Ukraine is estimated to be quite high. The results of research into the state and dynamics of changes in the level of corruption in Ukraine for the period of 2010–2022 (Figure 2) provide grounds for stating that in the period from 2010 to 2018, there is a steady trend of increasing the value of the corruption perception index, which indicates about its actual decrease in Ukraine. In 2019, Ukraine's position regarding

the level of corruption weakened somewhat, and the value of the corruption perception index decreased by 2 points to 30. During 2020–2022, fluctuations in the level of corruption are observed within the range of 32–33.

The indicated trends testify to the fact that the existing anti-corruption system in Ukraine is weak enough and unable to effectively counteract modern challenges and dangers. Moreover, the national system of counteracting money laundering and financing of terrorism also indirectly assesses corruption risks, which, along with the growing shadow economy, have the greatest impact on the processes and phenomena occurring in the economy and society.

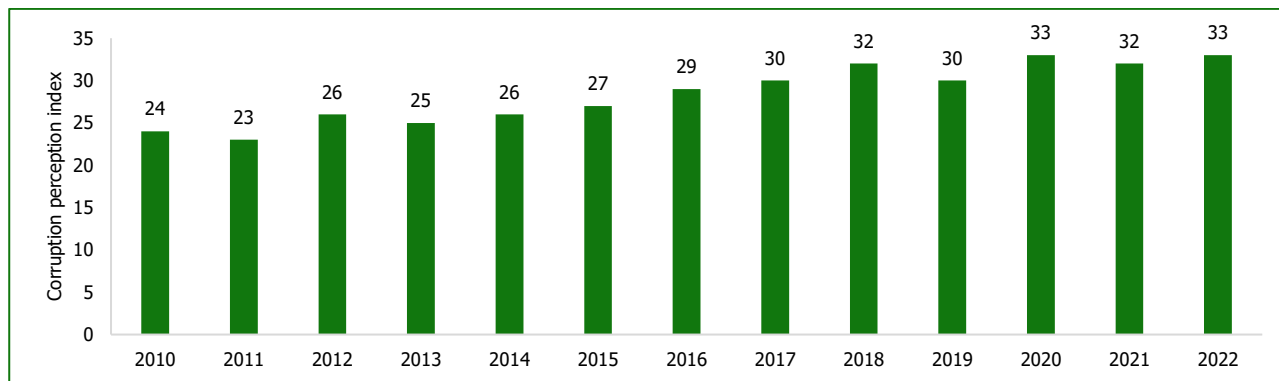


Figure 2. State and dynamics of changes in the corruption perception index in Ukraine in 2010–2022, %. (Source: calculated on the basis of: [16])

At the same time, it is worth noting that the shadowing of the national economy and corruption are in a close relationship and mutually condition each other, which proves the growth of its level during the period of increasing the value of the integral indicator of the level of the shadow economy, therefore, anti-corruption activities and programs of the detinization of the economy should move to the forefront and become one of the strategic areas of activity in the system of counteracting money laundering and terrorism financing.

Another important socio-economic factor in the emergence of threats to the system of counteracting money laundering and terrorism financing is the growing trends in the deficit of the state budget of Ukraine, the volume of which in 2022 reached a critically dangerous mark of UAH 348.9 billion (Figure 3).

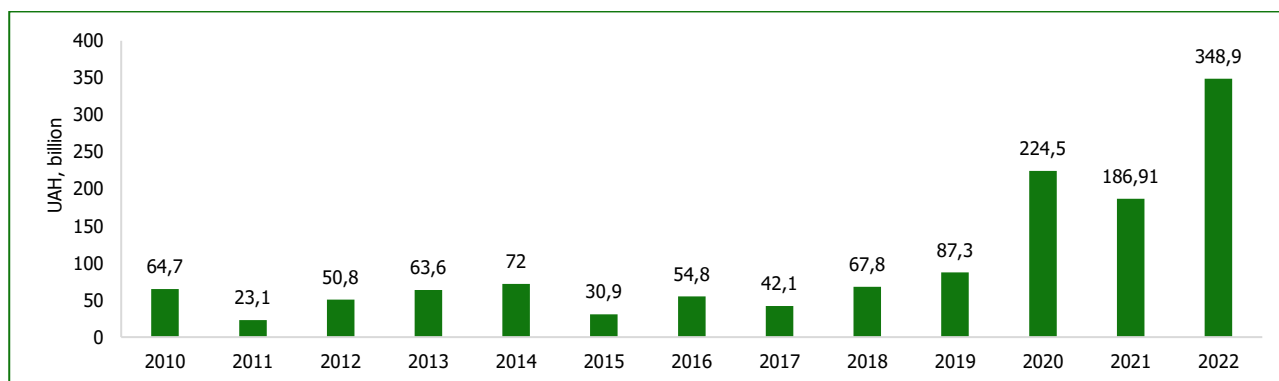


Figure 3. State and dynamics of changes in the state budget deficit of Ukraine in 2010–2022, billion UAH. (Source: calculated on the basis of: [17, p. 24.; 18])

A sharp increase in the deficit of the state budget of Ukraine indicates the presence of significant problems in the socio-economic development of the country and the inability of the budget and tax system to ensure effective counteraction to risks and threats that are produced in the economy and society. Taking into account the fact that Ukraine is at war, it is extremely difficult, and sometimes impossible, to effectively fight against destabilizing socio-economic factors, especially due to the chronic lack of necessary resources. Moreover, the reduction of social expenditures and the allocation of budgetary resources to meet the needs of the country's security and defence sector are justified.

On the other hand, the sharp increase in the deficit of the state budget of Ukraine is connected with the occupation by the aggressor country of significant Ukrainian territories, the conduct of economic activity by economic entities on which

is made impossible by the factors of conducting active hostilities and the lack of control of the Ukrainian side. As a result, the revenue part of the budget undergoes irreversible negative changes, which cause the deepening of its deficit.

It is obvious that the process of covering the state budget deficit is carried out at the expense of external and internal borrowings, which in the conditions of 2022 increased by 40% compared to the previous year of 2021.

Undoubtedly, the problem of researching socio-economic factors of the emergence of threats to the system of money laundering and terrorism financing in Ukraine is extremely important and requires the formation of a set of measures for its solution. In this context, the issue of organizational-legal, normative and legislative regulation of problematic aspects is actualized, because the conducted studies of the number of crimes related to the legalization (laundering) of criminally obtained funds in Ukraine for the period 2017–2022 (Figure 4) testify their growing trends and serious danger to the state and society.

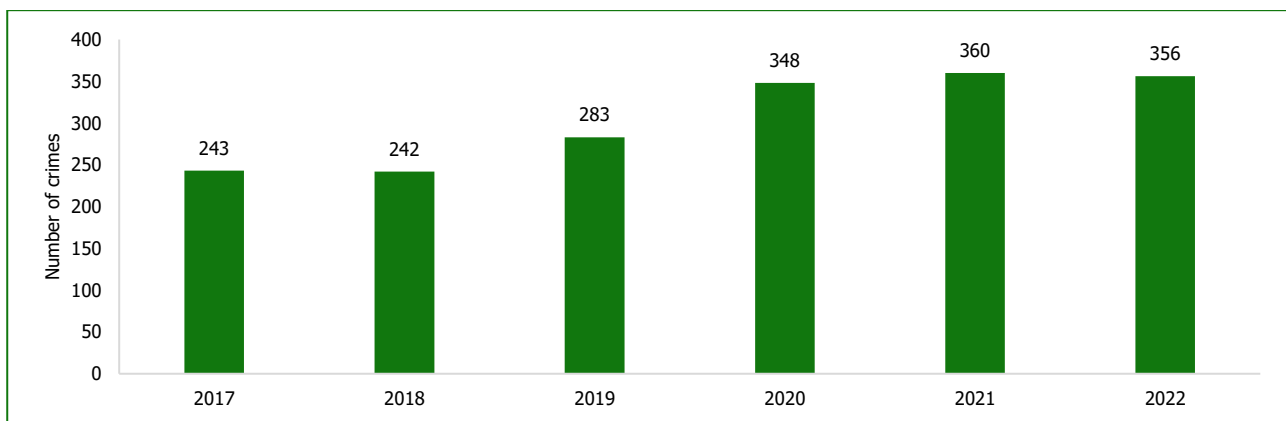


Figure 4. Dynamics of the number of crimes related to the legalization (laundering) of criminally obtained funds in Ukraine in 2017–2022. (Source: calculated on the basis of: [19; 20])

The results of the conducted research confirm the significant negative impact of socio-economic factors on the process of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine and indicate the need to form an effective counteraction to destabilizing phenomena and processes occurring in the economy and society and restraining the socio-economic development of the country.

DISCUSSION

It becomes obvious that separate scientific approaches to the formation of systematic measures to detect, prevent and counter threats to the anti-money laundering and terrorist financing system in Ukraine, which are caused by the destabilizing influence of socio-economic factors, were proposed by M. Flejchuk [2], Y. Kharazishvili [3], M. Blikhar, L. Savchenko, I. Komarnytska and M. Vinichuk [5] justify the need to solve the problems of ensuring effective countermeasures against the shadowing of the economy, corruption, economic crime, as well as balancing the state's budget and tax policy, taking into account the challenges and dangers of modernity. Because of the conducted research, we established the strengthening of the influence of socio-economic factors, which is evidenced by the ineffectiveness of the national system for combating money laundering and terrorist financing and the existing measures to prevent and minimize risks, threats and dangers revealed during the evaluation. Therefore, we consider it expedient to outline the main ways out of crisis situations, which involve the priority taking of appropriate measures regarding the economic and legal regulation of the socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine, which have not yet been systematized in scientific and applied research, among which the most significant ones are as follows:

- harmonization of the current legislation of Ukraine with international and European anti-legalization legislation;
- improvement of the supervisory activity of state regulators;
- activation of the processes of using a risk-oriented approach in the activities of state regulators;
- improvement of methodological tools for financial monitoring at the primary and state levels;
- formation and implementation of the electronic cabinet of the financial monitoring system;
- improvement of the mechanism of conducting financial investigations, including operations with virtual assets;

- formation of tools for analytical evaluations of financial transactions of public persons and detection of their involvement in corruption crimes.

The proposed measures will form a reliable basis for the creation of an effective system of counteracting money laundering and terrorism financing in Ukraine and will allow to reduce the level of economic crime related to money laundering and terrorism financing.

CONCLUSIONS

Thus, the studies of key aspects of the economic and legal analysis of the socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine give grounds for asserting that in the conditions of instability and the emergence of the newest challenges and dangers of modern times, the problems of increasing the destructive influence of socio-economic factors on the system of counteracting money laundering and terrorism financing in Ukraine are actualized, as a result of which significant threats and risks are created. The most destructive influence on the system of counteracting money laundering and terrorism financing of such socio-economic factors as the shadowing of the economy, corruption, the deficit of the state budget and the spread of economic crime related to the legalization (laundering) of criminally obtained funds was revealed. Based on the results of the economic and legal analysis, it was established that the national system of anti-legalization legislation is sufficiently weak in terms of regulating issues of establishing responsibility for crimes that contain signs of money laundering and terrorism financing in Ukraine, which necessitates its review and improvement. At the same time, the obtained results made it possible to form and propose a set of measures to strengthen economic and legal regulation of socio-economic factors of the emergence of threats to the system of counteracting money laundering and terrorism financing in Ukraine.

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ЕКОНОМІКО-ПРАВОВИЙ АНАЛІЗ СОЦІАЛЬНО-ЕКОНОМІЧНИХ ЧИННИКІВ ВИНИКНЕННЯ ЗАГРОЗ СИСТЕМІ ПРОТИДІЇ ВІДМИВАННЮ КОШТІВ ТА ФІНАНСУВАННЮ ТЕРОРИЗМУ В УКРАЇНІ

Метою статті є дослідження теоретико-прикладних засад економіко-правового аналізу соціально-економічних чинників виникнення загроз системі протидії відмиванню коштів та фінансуванню тероризму в Україні. Результати проведеного дослідження дозволяють стверджувати, що соціально-економічні чинники мають вагомий дестабілізуючий вплив на систему протидії відмиванню коштів та фінансуванню тероризму в Україні й провокують інтенсифікацію процесів виникнення загроз. У статті проаналізовано основні підходи до визначення соціально-економічних чинників виникнення загроз системі протидії відмиванню коштів та фінансуванню тероризму в Україні, систематизовано їх перелік та виокремлено найбільш вагомі. На підставі детального дослідження здійснено економіко-правовий аналіз соціально-економічних чинників виникнення загроз системі протидії відмиванню коштів і фінансуванню тероризму та їх законодавчого регулювання. Установлено, що серед найбільш вагомих соціально-економічних чинників виникнення загроз системі протидії відмиванню коштів та фінансуванню тероризму в Україні є: (1) зростання рівня тіншової економіки; (2) поглиблення корупції; (3) зростання дефіциту державного бюджету; (4) зростання кількості

злочинів, пов'язаних із легалізацією (відмиванням) доходів, одержаних злочинним шляхом. Виявлено слабкість чинного вітчизняного законодавства в частині встановлення відповідальності за злочини, що містять ознаки відмивання коштів та фінансування тероризму, що потребує його вдосконалення в напрямі посилення такої відповідальності. Запропоновано перелік заходів економіко-правового регулювання соціально-економічних чинників виникнення загроз системі протидії відмиванню коштів та фінансуванню тероризму в Україні, більшість із яких перебувають у площині узгодження чинного законодавства України з міжнародними та європейськими нормами, удосконалення наглядової діяльності державних регуляторів та методичного інструментарію проведення фінансового моніторингу.

Ключові слова: чинники, легалізація (відмивання) коштів, ризики, загрози, соціально-економічний розвиток, правові відносини, економіко-правовий аналіз, тероризм

JEL Класифікація: H56, O19