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**The Role of Law Enforcement in Reforming the Public Procurement System: A Comparative Case Study Based on Survey Data of Suppliers in Russia and Kazakhstan**

The success and efficiency of institutional reforms, including the field of public procurement, depends not only on the quality of formal legal norms but also largely on the practice of law enforcement. Thus, in the work of Bosio et al. (2020) it is shown, that laws and practices are highly correlated with each other across countries, better practices are correlated with better outcomes, but laws themselves are not correlated with outcomes. In countries with a weak institutional environment, the existence of a regulatory framework does not guarantee compliance with prescribed legal requirements or ensure the best “value for money” (Ibrahim et al., 2017), and due to weak institutional mechanisms and the lack of efficient monitoring mechanisms (or their insufficient funding), the problem of corruption is widespread (Basheka, Bisangabasaija, 2010; Obuah, 2010; Williams-Elegbe, 2018).

Despite the general attention to the complexities of implementing procurement reforms (World Bank, 2016), the role of law enforcement quality in the success of reforms as applied to public procurement law, especially for developing countries, has not yet been widely discussed in the literature. In our paper, we compare the public procurement regulation systems of Russia and Kazakhstan in terms of the success of the reforms. Both countries have a large volume of public procurement, historically similar ways of reforming public procurement regulation systems, and an imperfect institutional environment.

In 2020, we conducted a large-scale survey of suppliers in Russia and Kazakhstan and received a snapshot of the institutional environment, which made it possible to assess the success of public procurement reforms from the standpoint of direct procurement participants. Despite the fact that Russia and Kazakhstan are characterized by similar principles of public procurement regulation, the results showed significant differences in assessments of its efficiency and the scale of problems in public procurement. For Russia, the assessments turned out to be more positive, despite the fact that among practitioners there is constant criticism of Russian public procurement legislation, and the legislation on public procurement in Kazakhstan is less subject to criticism and occupies a more worthy place in international rankings (for example, according to the results of a 2017 comparative analysis of public procurement systems, Kazakhstan scored 477, and Russia 407 points out of 600 possible (World Bank, 2018)).

In this paper, we tried to find an answer to the question - why did similar reforms in comparable institutional conditions have such different effects? Our study suggests that such differences are due to the specifics of law enforcement in the compared countries. So, in Russia, despite the presence of many problems, the public procurement system works (albeit at high costs) because of the actual operating and rather tough mechanisms of law enforcement. With their help initially poorly working laws are gradually adapted to the realities of the country's institutional environment, and, as a result, the results are expected from the reforms being carried out. As for Kazakhstan, the formally “correct” legislation, largely borrowed from Western models, did not work properly in this country with its peculiarities (clannishness, the spread of informal practices, etc.), which is confirmed by the results of our study. This is largely due to the fact that the legislation “hung in the air” - effective mechanisms of its application were not formed, which would allow, taking into account the reaction of honest economic agents, to gradually adapt it to external conditions.

Thus, the analysis showed that not the most optimal regulation, but with working mechanisms of law enforcement, may be better than formally "advanced" regulation, but without an effective system of law enforcement. So, for all the problems of Russian regulation of the public procurement system, the presence of working and understandable mechanisms for its application has led to the fact that the participants in the process have a clear understanding of the “rules of the game” and the consequences of their failure, which creates the preconditions for lobbying for changes and optimizing legislation and, as a result, allows to successfully implement the goals of institutional reforms.

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