

HACC TURNS SIX: ANALYSIS OF ACHIEVEMENTS, CHALLENGES, AND RECOMMENDATIONS

HACC Monitoring Report, July 1, 2024 – June 30, 2025



TABLE OF CONTENTS

BACKGROUND	3
SUMMARY	6
DYNAMICS OF HACC CASE CONSIDERATION	9
QUANTITATIVE INDICATORS OF MONITORING.....	15
POSTPONEMENT OF MEETINGS: KEY INDICATORS AND REASONS	15
MONITORING OF PROCEDURAL VIOLATIONS.....	18
CHALLENGES IN THE WORK OF HACC: PAST AND PRESENT	21
CURRENT CHALLENGES IN HACC'S WORK.....	21
INEFFECTIVE REGULATION OF STATUTES OF LIMITATIONS	21
ABUSES OF PROCEDURAL RIGHTS AND PRE-TRIAL INVESTIGATION TIMEFRAMES	23
OTHER ISSUES IDENTIFIED DURING MONITORING.....	26
CHALLENGES OVERCOME IN HACC'S WORK.....	30
CONCLUSIONS.....	36
ABOUT THE RESEARCH ON MONITORING THE ACTIVITY OF THE HACC	37
THIS RESEARCH WAS DEVELOPED BY.....	39

BACKGROUND

Since the establishment of the High Anti-Corruption Court (HACC) in 2019, Transparency International Ukraine has been systematically monitoring its activities, studying both judicial practice and organizational aspects of its work. Over six years of operation, the HACC has proven its effectiveness as a key element of Ukraine's anti-corruption infrastructure. However, the institution now faces serious challenges related to its role within the system of criminal justice specializing in corruption cases.

This report presents the results of the sixth stage of monitoring HACC's performance and continues the series of analytical materials covering the period since July 2020. The current stage of monitoring took place amid increased pressure on Ukraine's anti-corruption institutions.



CONTEXT

On July 22, 2025, Parliament adopted [Law No. 4555-IX](#), which effectively dismantled the independence of the NABU and the SAPO. Under this law, the Prosecutor General was granted the authority to notify top state officials of suspicion, request any materials from the NABU, transfer its cases to other investigative bodies, and unilaterally close proceedings against high-level corruption suspects. At the same time, the Head of the SAPO lost procedural independence and the ability to determine NABU's exclusive jurisdiction over certain cases.

Although just over a week later, [Law No. 4560-IX](#) reinstated the previous provisions ensuring NABU and SAPO's independence, the government still retains levers of influence over anti-corruption bodies. Moreover, these legislative changes unfolded against a backdrop of systematic information attacks on such institutions.

As [noted](#) by the HACC Chair, such campaigns bear the hallmarks of orchestrated disinformation intended to discredit institutions and undermine public trust. During the monitoring period, the HACC also faced direct manifestations of pressure – from the discovery of wiretapping equipment in employees' homes to unacceptable public statements by law enforcement agencies directed at judges.

In this context, our report has a dual purpose. First, to objectively assess HACC's performance and identify areas for improvement. Second, to clearly outline spheres of responsibility for existing challenges – distinguishing problems requiring legislative framework from those that can be resolved through improvements in the court's internal procedures.

This report not only documents the current state of affairs but also highlights progress made since the previous monitoring stage. It also provides specific recommendations whose implementation would strengthen HACC's institutional capacity in the face of emerging challenges.

FEATURES OF THE SIXTH MONITORING PERIOD

During the reporting period, our experts attended 969 court hearings, analyzed hundreds of judicial decisions, and examined key trends in the court's work. We focused on assessing procedural effectiveness, compliance with criminal procedure standards, and the implementation of recommendations from previous monitoring stages.

The findings indicate that, despite external pressure, the HACC continues to adhere to high professional standards. At the same time, systemic problems remain unresolved. Some can only be addressed through legislative amendments, while others require refinement of judicial practice.

One of the most pressing challenges for HACC proceedings remains the ineffective regulation of statutes of limitations. Because of this, the actions of certain corruption suspects are left without proper judicial assessment. Once the limitation period expires, cases are closed and defendants are released from criminal liability, leaving unresolved the key question of whether they in fact committed a criminal offense. Combined with procedural difficulties during investigation and trial, such case closures are particularly damaging for the prosecution of corruption.

At a time when the independence of anti-corruption justice is under systematic attack, it is crucial to preserve objective analysis of the Court's work and continue supporting HACC's institutional development to ensure justice and strengthen the fight against corruption in Ukraine.

WHY DO WE MONITOR HACC CASES?

The trial of criminal cases is the central stage of the criminal justice system. It is here that a person's fate is decided and the prosecution's case is evaluated: whether the accused will be found guilty of committing a crime or acquitted. This is the stage where all the circumstances of the case are fully clarified and, as a general rule, the final decision on guilt or innocence is made.

Accordingly, it is during trial that one can observe whether investigative bodies acted lawfully and whether the prosecution is effectively presenting its case.

As a rule, trial at the first instance proceeds in the following order:

- 1. Preparatory hearing** – the court verifies whether the case may be heard on the merits and resolves organizational issues such as agreeing the list of witnesses and preparing the pre-trial report.
- 2. Opening of trial** – the court announces the start, checks attendance, and rules on parties' motions.
- 3. Examination of evidence** – witness testimony, review of physical evidence and documents, expert conclusions.
- 4. Closing arguments** – prosecutor and defense present their final positions on the case.
- 5. Defendant's last statement** – an opportunity to speak before the verdict is delivered.
- 6. Delivery and announcement of the verdict** – the court rules on the defendant's guilt or innocence.

Corruption-related offenses are often complex, involving extensive documentation and numerous witnesses. Any procedural violation can result in a guilty party escaping punishment due to formal deficiencies.

Moreover, high-level corruption cases always attract significant public attention. Citizens expect justice to be delivered fairly and transparently, with all parties to the process acting within the law.

Our monitoring helps identify challenges in the adjudication of top-level corruption cases and propose solutions. This contributes to improving the quality of justice and strengthening public confidence in the judiciary.

SUMMARY

The sixth report on monitoring the work of the HACC covers the period from July 1, 2024 to June 30, 2025 – a time of unprecedented challenges for the independence of anti-corruption justice. On July 22, 2025, Parliament adopted a law that effectively dismantled the independence of the NABU and the SAPO, although its provisions were later repealed.

Amid systematic information attacks and direct pressure on judges, the HACC continued to demonstrate high professional standards, while also encountering systemic problems.

KEY ACHIEVEMENTS

Growing number of cases adjudicated. The HACC shows a stable upward trajectory: the number of cases resolved increased from 55–60 in 2019–2020 to 84–88 in 2023–2024. Notably, the number of convicted individuals rose from 49 in 2022 to 112 in 2024, reflecting the conclusion of proceedings involving a larger number of defendants.

Improvement of the plea bargain mechanism. Since November 2024, new rules on plea agreements have shown a positive effect: 66% of convictions were based on such agreements, UAH 87 million in damages was reimbursed, an additional UAH 97 million and six vehicles were transferred to defense needs. In total, more than UAH 250 million was returned to the state.

Resolving the issue of mobilized corruption defendants. The adoption of Law No. 4496-IX addressed the problem of delays caused by the mobilization of defendants in corruption cases by establishing clear criteria for suspending trials.

CRITICAL CHALLENGES

Ineffective regulation of statutes of limitations remains the biggest systemic problem. During the reporting period, 13 individuals were released from criminal liability due to the expiration of limitation periods (five by the HACC and eight by the HACC Appeals Chamber). Our estimates indicate that at least 26 cases could be closed on this basis over the next three years.

Abuse of procedural rights is taking new forms and expanding. In one case, during September 2024 alone, a defense attorney filed 1,426 complaints against alleged inaction by the NABU and the SAPO to the investigating judge, and later, within four days of October, submitted 2,852 appeals against the investigating judge's ruling in a consolidated proceeding. Overall, during the reporting period the HACC issued 24 rulings on disciplinary liability of attorneys, yet the Qualifications and Disciplinary Bar Commissions (QDBC) responded insufficiently effectively.

The problem of corruption suspects absconding has intensified – in 13.7% of cases, special proceedings are conducted in absentia. A critical challenge is the shortage of electronic bracelets (only 145 for the whole of Ukraine), along with probable misconduct by public officials facilitating unlawful border crossings.

RECOMMENDATIONS

To Parliament:

- Comprehensively improve legislation on statutes of limitations: establish additional grounds for suspension, extend their duration, and change the endpoint of calculation.
- Introduce mechanisms to counter abuses of procedural rights, including financial penalties.
- Abolish automatic closure of cases due to the expiration of the pre-trial investigation period.
- Determine that the consent of parties is not required to continue proceedings when a judge is replaced.
- Review the provisions on single-judge trials and extend them to civil confiscation cases.
- Provide for mandatory special confiscation when approving plea agreements.

To HACC:

- Ensure thorough and well-grounded verification of damage compensation amounts in plea agreements, and avoid approving them without due assessment of public interest.
- Consistently and systematically exercise presiding judges' powers to manage proceedings and stop abuses of procedural rights.

To the Government: ensure a sufficient supply of electronic bracelets and take measures to prevent corruption defendants from absconding.

Implementation of these recommendations would strengthen the institutional capacity of the court and increase the effectiveness of anti-corruption efforts.

DYNAMICS OF HACC CASE CONSIDERATION

The establishment and consolidation of the High Anti-Corruption Court have consistently been accompanied by external challenges. After its launch in September 2019, the COVID-19 pandemic began in 2020, and the relatively stable and structured work of 2021 was then disrupted by Russia’s full-scale invasion of Ukraine. These circumstances undoubtedly affected HACC’s functioning.

Nevertheless, year after year, we observe a growing number of high-level corruption cases being adjudicated.

Table 1. Dynamics of incoming and adjudicated criminal cases

	2019	2020	2021	2022	2023	2024	H1 2025
Criminal cases pending	204	235	233	268	344	375	366
New criminal cases received	204	85	63	84	130	122	82
Criminal cases adjudicated	55	60	48	49	84	88	53
Pending backlog	149	175	185	219	260	287	313

Table 2.

Dynamics of verdicts delivered

	2019	2020	2021	2022	2023	2024	H1 2025
Verdicts delivered	2	22	34	37	65	77	52
Including plea agreements	1	9	9	10	27	38	35
Persons convicted	2	23	32	49	83	112	80
Persons acquitted	0	2	9	7	6	10	2

Table 3.

Dynamics of cases at the pre-trial investigation stage

	2019	2020	2021	2022	2023	2024	H1 2025
Pre-trial investigation cases pending	3589	11091	8751	6610	10743	11053	5516
Pre-trial investigation cases adjudicated	3272	10937	8667	6488	10650	10909	5393
Pending backlog	317	154	84	122	93	144	123

Table 4.

Dynamics of civil confiscation cases

	2019	2020	2021	2022	2023	2024	H1 2025
Civil cases received	0	0	2	3	7	12	23
Civil cases adjudicated	0	0	2	3	3	8	10

Table 5.

Dynamics of sanctions-related cases

	2019	2020	2021	2022	2023	2024	H1 2025
Administrative cases received	0	0	0	9	31	27	8
Administrative cases adjudicated	0	0	0	5	29	27	11

These [official HACC](#)¹ statistics demonstrate a clear trajectory of increasing caseloads, with judges handling a steadily growing volume of cases.

The initial 2019–2020 period was characterized by the court’s institutional formation, with a minimal number of adjudicated cases (55–60), as the system gradually took shape. A turning point came in 2023, when, even under wartime conditions, the court increased the number of cases resolved to 84. At the same time, the number of convicted individuals rose: from 49 in 2022 to 83 in 2023 and 112 in 2024. This indicates the conclusion of proceedings involving larger numbers of defendants.

Parallel to this, there has been an increase in cases adjudicated at the pre-trial investigation stage – from 8,667 in 2021 to 10,909 in 2024. This demonstrates intensified activity by the NABU and the SAPO, whose investigative and procedural actions require authorization by investigating judges.

However, the statistics also highlight concerning aspects. Most alarming is the steady accumulation of unresolved cases – from 149 in 2019 to 313 by the first half of 2025. This means judges are unable to keep pace with the inflow of new cases.

At the same time, the first half of 2025 (53 cases adjudicated in six months) suggests sustained high productivity, making this year potentially the most effective in the HACC’s history.

Overall, during the reporting period, 138 criminal cases were submitted to the HACC. Among them, the following high-profile cases were sent by SAPO prosecutors:

- **The Ukrnafta case involving more than UAH 13 billion.** The [indictment](#) concerned seven individuals, including former executives of Ukrnafta and directors of commercial companies. Prosecutors accuse them of misappropriating the property and funds of Ukrnafta worth over UAH 13 billion in 2015.
- **The gas embezzlement case worth UAH 2.1 billion.** The [indictment](#) was filed against a Member of Parliament of Ukraine for organizing the embezzlement of natural gas worth more than UAH 2.1 billion and laundering illegally obtained income between 2013–2017 through the Novoyavorivsk and Novyi Rozdil CHPs (Lviv region) under his control.
- **The Odesa City Council officials case.** The indictment was filed against [individuals](#) who, according to the SAPO, were members of a criminal organization headed by the Mayor of Odesa. The organization also included

1. The source of the data was HACC’s annual reports on the timeliness of case consideration and on the review of criminal proceedings and materials.

the Director of the Legal Department of the City Council, a former Head of the Municipal Property Department and his deputy, two city council members (chairs of the municipal property and land commissions), and other private persons. Between 2016–2019, they organized a scheme through which land plots of the Odesa territorial community were unlawfully leased, bypassing competition, exclusively to pre-selected developers. Expert findings put the damage at UAH 689 million.

- **The banking assets case worth over UAH 160 million.** The [indictment](#) was filed against seven individuals, including the Chair of a Verkhovna Rada Committee of the 8th convocation, the head of a unit in the SSU Main Investigative Department, an ARMA official, and the leadership of the state enterprise SETAM. According to the prosecution, as part of an organized group, they unlawfully seized the claim rights of a banking institution.
- **The illicit enrichment case (UAH 11 million).** The [indictment](#) concerned a sitting Member of Parliament of Ukraine. According to the investigation, in 2020–2021, the MP acquired assets worth UAH 25 million (three land plots in Kyiv region, five apartments in Kyiv, two commercial premises, and Tesla and Mercedes-Benz cars), while the declared income and savings of him and his wife during this period did not exceed UAH 14 million.
- **The case concerning the receipt of undue benefit by judges of the Kyiv Court of Appeal for lifting the seizure of aircraft.** The [indictment](#) was filed against four judges of the Kyiv Court of Appeal for receiving an unlawful benefit of USD 35,000 for issuing a ruling to lift the seizure of aircraft.
- **The case [concerning the misappropriation of UAH 100 million during the construction of a spent nuclear fuel storage facility](#).** The [indictment](#) was referred against the general director of a separate division of NNEGC Energoatom SE, the head of the estimate and contract department of the same division, and the head and an employee of the legal department of a private company on charges of causing nearly UAH 100 million in losses to Energoatom.
- **The case [concerning the receipt of UAH 1.39 million in undue benefit for the position of director of the Zhytnyi Market](#).** The [indictment](#) was referred against a Kyiv City Council member for receiving UAH 1.39 million in undue benefit.
- **The case concerning an [attempt to bribe the leadership of the Ministry for Restoration with real estate in exchange for not terminating a contract](#).** The indictment was filed against three individuals – the director of a state enterprise, the beneficial owner of a private development company, and their accomplice – who were exposed while attempting to bribe the Ministry's leadership.

- The **case concerning [UAH 641 million in losses caused by abuse of office](#)**. The indictment was referred against the former First Deputy Head of the State Fiscal Service of Ukraine on charges of abuse of office that caused grave consequences to state interests.
- The **case concerning the [embezzlement of UAH 312 million of Ministry of Defense funds](#)**. The [indictment](#) was filed against a former Member of Parliament of Ukraine, his assistant, the director of an affiliated company, and several current and former senior military officers for misappropriating more than UAH 312 million of Ministry of Defense funds.

During the latest reporting period, HACC delivered 94 verdicts, including in the following high-profile cases:

- **Unlawful benefit obtained by a former judge of the Kyiv District Administrative Court.** The HACC [found her guilty](#) of receiving an unlawful benefit and sentenced her to five years and six months' imprisonment, with a three-year ban on holding public office. [The court also ordered confiscation of all her assets.](#)
- **The case concerning the provision of an undue advantage by the Deputy Head of the Federation of Trade Unions and his two accomplices to judges of the Kyiv Court of Appeal.** The Deputy Head of the Federation of Trade Unions, with the assistance of two individuals, attempted to secure release from custody by offering USD 150,000 in undue advantage to judges of the Kyiv Court of Appeal. The HACC [sentenced them](#) to four years' imprisonment with [confiscation of half of their assets.](#)
- **Attempted bribery and fraud by a sitting Member of Parliament.** The HACC [found the MP of the 9th convocation](#) guilty of inciting the giving of an unlawful benefit and of fraud. The [court established](#) that he deliberately incited a private entrepreneur to provide USD 85,000 in unlawful benefit to the Head of the Rivne Regional Military Administration and the President of the National Academy of Agrarian Sciences of Ukraine to secure agricultural land for the entrepreneur. He also attempted to seize the same USD 85,000 through fraud in collusion with others. The MP was sentenced to seven years' imprisonment, confiscation of all assets, and a three-year ban on public office and state service.
- **Unlawful benefit obtained by the former Deputy Head of the Ternopil Regional Military Administration.** The former official was [found guilty](#) of committing a criminal offense under Article 368(4) of the Criminal Code of Ukraine. He was [sentenced](#) to 8 years and 2 months of imprisonment, along with a 3-year ban on holding positions in state authorities, local self-government bodies, or in state- and municipal-owned enterprises, institutions, and organizations (where the state share exceeds 50%), involving organizational, managerial, or administrative functions.

- **The receipt of an undue advantage by an operative officer of the SSU Department for Counterintelligence Protection of State Interests in the Field of Information Security.** He was [sentenced](#) to [ten years' imprisonment](#), with a three-year ban on law enforcement service, confiscation of property, and forfeiture of virtual assets (cryptocurrency) worth USD 57,412.34. He was also stripped of his military rank of colonel.

These data demonstrate a gradual increase in the number of cases adjudicated by the High Anti-Corruption Court. At the same time, the nature of cases submitted to the court indicates their growing complexity and multi-episodic nature. This underscores the need to strengthen the HACC's capacity to address new challenges.

The effectiveness of HACC's further work will depend on solving the problems that currently hinder its ability to conduct complex, multi-defendant proceedings within a reasonable time frame.

QUANTITATIVE INDICATORS OF MONITORING

During the sixth reporting period, the HACC case monitoring lawyers attended 969 court hearings. This year, a significant volume of data was collected, allowing us to assess the procedural actions of participants in criminal proceedings as well as the court itself.

POSTPONEMENT OF MEETINGS: KEY INDICATORS AND REASONS

In the latest monitoring period, out of 969 hearings observed, 340 (35%) were postponed. This indicator is important for evaluating the efficiency of proceedings and turned out to be higher than the rates recorded in the fifth and first HACC monitoring periods.

The most common reasons for postponement were:

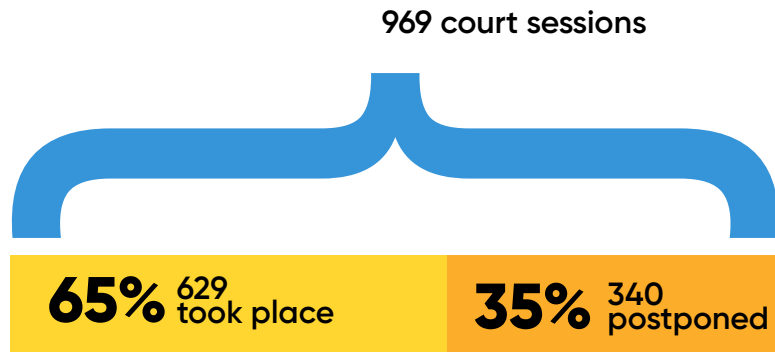
- other reasons (18% of cases)
- absence of defense lawyers (16% of cases)
- at the initiative of the court (15% of cases).

Of particular concern is the increased share of postponed hearings due to the absence of defense lawyers, as well as those postponed at the initiative of the court. Among "other reasons," the most frequent were:

- judges being engaged in other proceedings, including deliberations
- absence of witnesses
- defense lawyers not having reviewed case materials.

Postponed HACC hearings*

from July 1, 2024, to June 30, 2025



The most common reasons for rescheduled sessions:

non-appearance of defense lawyers

16%

54 cases out of 340

at the initiative of the court

15%

54 cases out of 340

other reasons

18%

54 cases out of 340

**These data are provided solely on the basis of cases that were the subject of monitoring, and do not reflect the overall situation with the court*

The most common among the "other reasons" were:

- the judges' engagement in other cases, including time spent in the deliberation room
- failure of witnesses to appear
- the defense counsel's failure to review the case materials

The analysis shows that a high share of postponements due to the absence of the defense persists, while the share of postponements initiated by the court is also growing. This points to the increasing workload of HACC judges and underscores the need to promptly and effectively conduct a new competition for HACC judges, as well as to supplement legislation with mechanisms to address participants' failure to appear in hearings. In addition, the fact that HACC's first instance operates across two separate buildings forces judges to move daily between courtrooms to participate in collegial trials. Organizing

hearings for mixed judicial panels in about 300 cases still at the trial stage consumes significant time. Once again, it must be emphasized that the issue of adequate premises for the HACC needs urgent resolution, especially given the expected appointment of 23 additional judges in 2026.

Reasons for postponed hearings over all monitoring periods

Reason	6th period – 340	5th period – 155	4th period – 146	3rd period – 348	2nd period – 135	1st period – 65	TOTAL average
Absence of suspect/defendant	9%	9%	36%	26%	23%	32%	22%
Absence of defense lawyers	16%	10%	9%	42%	49%	26%	25%
Absence of prosecutor	0	1%	4%	8%	10%	5%	5%
Postponed at the initiative of the court to another time without a notice about the postponement of the hearing on the Judicial Power portal	15%	10%	7%	18%	14%	3%	11%
Judges' leave/sick leave without a notice about the postponement of the hearing on the Judicial Power portal	7%	8%	6%	7%	7%	17%	9%
Reason not reported	33%	37%	15%	6%	6%	14%	19%
Technical issues (power outages, equipment failures, etc.)	1%	1%	5%	1%	1%	2%	2%
Other reasons	18%	18%	19%	9%	12%	11%	15%

In this reporting period, we also determined the average duration of hearings:

- application of interim measures (pre-trial investigation stage) – 01:55:31
- trial of criminal cases – 01:38:51
- trial of civil confiscation cases – 01:34:20.

The average duration of the HACCC hearings*

from July 1, 2024, to June 30, 2025

**These data are provided solely on the basis of cases that were the subject of monitoring, and do not reflect the overall situation with the court*



Application of interim measures (pre-trial investigation)



Trial of criminal proceedings



Trial of civil confiscation claims

The average duration of hearings on interim measures decreased slightly compared to the previous period (2 hours 12 minutes). At the same time, the average duration of civil confiscation proceedings increased compared to 1 hour 18 minutes in the previous period, as did the average duration of criminal trials on the merits (compared to 1 hour 32 minutes).

Taken together with the rising workload of judges and the considerable share of postponed hearings, these findings help explain why case consideration at the HACCC is not as fast as it could be, and why legislative improvements are needed.

MONITORING OF PROCEDURAL VIOLATIONS

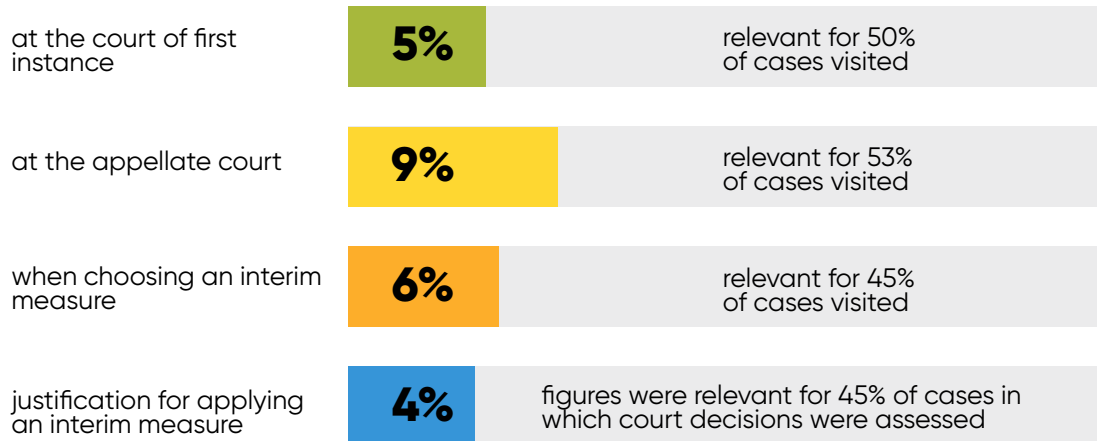
The consolidated results of monitoring the HACCC and the HACCC Appeals Chamber show that the average share of procedural violations has decreased for the first instance but increased for the Appeals Chamber:

- **First instance:** on average, violations accounted for 5% (these indicators were relevant for 50% of hearings observed). Last year they stood at 6%.

- **Appeals instance:** on average, violations accounted for 9% (relevant for 53% of hearings observed). Last year they stood at 0.3%.
- **Pre-trial hearings:** on average, violations accounted for 6% (relevant for 45% of hearings observed). Last year they stood at 15%.

Procedural and process violations by the HACC and the HACC AC*

from July 1, 2024, to June 30, 2025



*These data are provided solely on the basis of cases that were the subject of monitoring, and do not reflect the overall situation with the court

A key substantive indicator where our monitoring lawyers recorded an increase in violations was the court's response to abuses of procedural rights: filing unsubstantiated motions, repeating the same arguments multiple times, and other forms of delaying tactics. For example, in one [case](#) the defense repeatedly restated the same arguments when moving to dismiss the proceedings; in another, the defendant [argued](#) with the judge. We also observed instances of delaying hearings by submitting what we consider to be an [unreasonably high](#) number of motions.

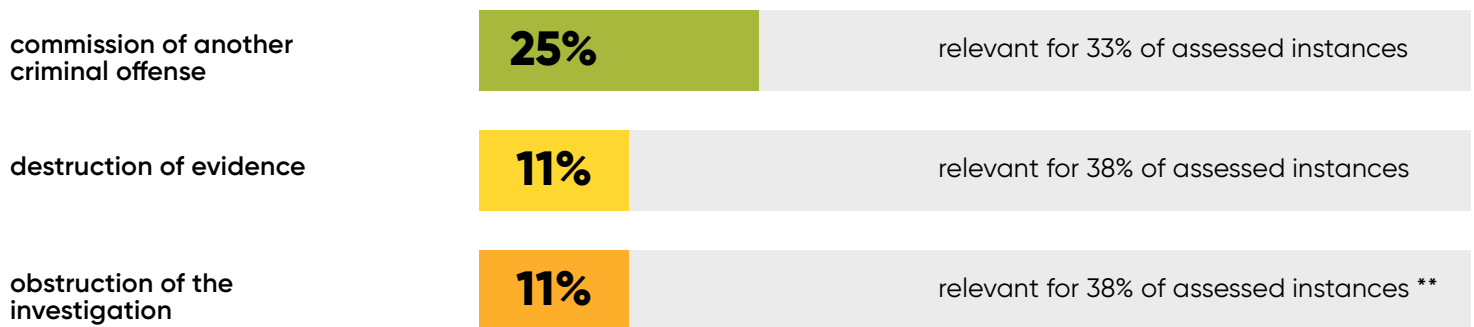
It should be noted that this indicator also affects compliance with reasonable time limits for case consideration, and whether defendants will ultimately be released from criminal liability or punishment due to the expiration of limitation periods. The rise in violations in the work of the Appeals Chamber was largely due to more frequent failures by hearing secretaries to announce the attendance of participants or the recording of proceedings. At the same time, the Appeals Chamber also faced difficulties in countering abuses of procedural rights.

We also continued to assess the justification of motions for the application of interim measures, analyzing how they were evaluated by investigating judges. As a result, the average share of violations was 4% (relevant for 38% of hearings observed).

The highest share of problems was found in proving the following risks:

- **Risk of committing another criminal offense** – in 25% of cases violations were identified (relevant for 33% of cases assessed, i.e. where the prosecution raised such a risk)
- **Destruction of evidence** – violations were established in 11% of cases (this indicator was relevant for 38% of the assessed instances, meaning the prosecution alleged such a risk in those cases)
- **Obstruction of the investigation** – violations were established in 11% of cases (this indicator was relevant for 38% of the assessed instances, meaning the prosecution alleged such a risk in those cases).

Violations in motions for the application of interim measures in substantiating risks*



**These data are provided solely on the basis of cases that were the subject of monitoring, and do not reflect the overall situation with the court*

***Assessment based on investigative judges' rulings regarding the substantiation of risks*

These findings indicate that the prosecution needs to pay particular attention to substantiating these specific risks, since investigating judges of the HACCC do not always find the arguments sufficient to confirm their existence.

In summary, while the overall share of procedural violations remains relatively low, it highlights areas for improvement that can help develop both the practice of hearings conducted by the HACCC and the HACCC AC judges, as well as potential legislative changes that could lay the groundwork for optimizing trial proceedings.

CHALLENGES IN THE WORK OF HACC: PAST AND PRESENT

In recent years, and especially under martial law, the work of the High Anti-Corruption Court has been marked by constant evolution and adaptation to new challenges.

An analysis of HACC's activities during the reporting period shows both successful resolution of certain systemic problems through legislative changes and improved judicial practice, as well as the emergence of new challenges requiring comprehensive solutions.



CURRENT CHALLENGES IN HACC'S WORK

Despite achievements in addressing individual problems, the HACC continues to face a range of systemic challenges that significantly affect the efficiency of corruption case consideration. These challenges include legislative shortcomings – particularly ineffective regulation of statutes of limitations – as well as procedural issues, such as abuses of procedural rights by participants.

INEFFECTIVE REGULATION OF STATUTES OF LIMITATIONS

The expiration of the statute of limitations is an unconditional ground for releasing a person from criminal liability and closing criminal proceedings – the only requirement being the defendant's consent. The criminal legislation of Ukraine sets out various conditions under which a person may claim case closure on this basis.

The key problem with statutes of limitations in HACC cases is that the **approach defined in the Criminal Code is not adapted to the specifics of investigating and prosecuting corruption-related crimes**. Such offenses are characterized by high latency, the need for extensive investigative actions, reliance on international legal assistance, and complex economic and other expert examinations.

In our [fourth HACC monitoring report](#), we provided the most detailed analysis of this issue, presenting possible solutions based on international practice and the then-ongoing EU debates on the [draft](#) Directive on combating corruption. At that time, we noted that statutes of limitations were becoming increasingly critical for HACC's work, depending on other indicators of effectiveness – such as how the Court responded to abuses of procedural rights. Yet changes to criminal legislation could decisively resolve the problem.

In the sixth monitoring period, HACC, as a court of first instance, released five individuals from criminal liability due to the statute of limitations, while the HACC Appeals Chamber released eight individuals. One person was released from serving a sentence by the Appeals Chamber. This number is higher than in the [previous reporting period](#). **Moreover, our calculations show that at least 26 cases currently pending before the HACC and the Appeals Chamber could be closed due to the statute of limitations within the next three years.**

The risk of expiration is further increased by certain Appeals Chamber decisions annulling first-instance verdicts and **sending cases back for retrial**. An example is the “gas case” of a [former MP](#), where the Appeals Chamber overturned a verdict after almost four and a half years of proceedings, citing violations of deliberation secrecy (judges leaving for training, vacations, and student meetings), refusal to consolidate related cases, and incorrect assessment of expert findings on damages. The paradox is that such formal violations, which did not affect the fairness of the decision itself, led to a retrial starting from the beginning, with the statute of limitations now expiring in 2031. Yet in July 2025, even after that ruling, a [HACC panel still refused](#) to consolidate the case with another multi-defendant proceeding, citing major differences in procedure (general and special in absentia), complexity, and number of participants. As a result, the prospects of reaching a verdict within the statute of limitations remain uncertain.

To date, **no progress** has been made in improving legislative regulation of limitation periods. A [draft law No. 13284](#), has been registered, proposing to expand the grounds for suspending limitation periods by adding cases where an accused person in the NABU or the SAPO proceedings is mobilized and the court suspends the trial. Currently, suspension is allowed only if a person evades investigation or trial.

A positive development is that the [Rule of Law Roadmap](#) includes, as one of its measures, the adoption and implementation of legislative changes to ensure deterrence, proportionality, and effectiveness of criminal sanctions for corruption and related offenses, in line with the proposed EU Directive on combating corruption. These measures are planned for implementation by Q2 2027. The objectives include extending limitation periods, refining grounds for suspension and termination, and reviewing sanctions for corruption and related offenses.

In our view, a comprehensive solution is required to improve legislation on release from criminal liability. It should include:

- **Establishing additional grounds for suspending limitation periods** – for example, when international legal assistance is required
- **Extending limitation periods for certain corruption offenses, along with proportionate strengthening of liability for** obstruction of justice, private-sector bribery, trading in influence, and abuse of office
- **Hanging the endpoint for calculating limitation periods** – not until a verdict enters into force, but until the verdict is delivered by the first instance.

ABUSES OF PROCEDURAL RIGHTS AND PRE-TRIAL INVESTIGATION TIMEFRAMES

During the reporting period, HACC and Appeals Chamber judges repeatedly recorded cases of deliberate abuse of procedural rights by parties to delay proceedings. Some of these abuses have become entrenched, while others take new forms.

Among them:

- **Repeated and unfounded recusals.** The court consistently [recognizes](#) these as abuses of rights, leaving them without consideration or rejecting them.
- **Identical complaints and motions.** Judges recorded mass filing of identical applications. In [one case](#), in September 2024, a lawyer filed 1,426 complaints against NABU and SAPO inaction. The investigating judge consolidated them, but within four days in October, the lawyer filed 2,852 appeals, including 1,477 identical ones, against a single ruling. The court had to issue rulings recognizing such actions as abuses and returning the complaints or refusing to open proceedings.
- **Abuse of the right to review case materials.** In [such cases](#), courts set deadlines for the defense.
- **Offensive language.** [Courts treated](#) filings containing insults toward judges as disrespect and abuse of rights, returning or dismissing them.
- **Non-appearance of defense lawyers.** Systematic absence of defense lawyers was also qualified as abuse. In such cases, the court instructed that a defense lawyer be appointed from the Free Legal Aid system and [raised](#) the issue with the QDBC regarding disciplinary liability.

With respect to this type of abuse, HACC judges issued 24 rulings referring the matter of disciplinary liability of lawyers to the Qualification and Disciplinary Bar Commissions (QDBCs) (a single ruling could concern more

than one lawyer). Only 10 were reviewed by QDBC: 12 decisions refusing to initiate disciplinary proceedings, three warnings, and one suspension of practice for four months.

This indicates that current mechanisms for addressing abuses remain ineffective, and not all judges apply them consistently.

A positive development was at least one case of administrative liability for contempt of court. The HACC, as a court of first instance, [fined](#) a witness UAH 850 for repeatedly disrupting a hearing, disobeying the presiding judge, making inappropriate remarks toward the defendant, interrupting participants, and showing open contempt for the court, which constitutes an administrative offense under Article 185-3 of the Code of Administrative Offenses.

New patterns of abuse were also observed. In one case, the defendant [repeatedly requested](#) to participate via videoconference but each time ignored the court's opportunity to connect. The court recognized this as abuse and instructed the NABU to establish his whereabouts.

In addition, courts sometimes summarize facts of abuse directly in [verdicts](#). In one ruling, judges noted:

- Submission of voluminous written objections, opinions, and motions regarding almost every piece of evidence, insisting on their full reading with lengthy quotations from the Criminal Procedure Code and case law
- Prolonged oral statements by defense lawyers commenting on every piece of evidence
- Insistence on reviewing all video recordings of procedural actions with detailed commentary
- Repeated absences of defense lawyers without valid reasons, leading the court to refer them to QDBC, though with limited effectiveness.

As for legislative tools against abuses, there has been **little progress**. A government bill [developed by the NACP](#) in July 2023 under the State Anti-Corruption Program has still not been submitted to Parliament.

A partial step is [draft law No. 12439](#), registered on January 24, 2025 and adopted in first reading on February 25, 2025. Among other changes, it proposes allowing first-instance judges to issue separate rulings on participants' breaches of duties during trials – a positive but incomplete measure. The draft also contains controversial provisions, such as introducing a two-month limit on asset seizures, which could undermine progress in asset recovery.

Some delays can be addressed not only through legislative updates but also through organizational changes in how judges conduct hearings. As noted in our previous monitoring report, some judicial panels counter delays by:

- Setting a deadline for filing motions of a certain type
- Considering motions to hear the opinions of those participants whom they directly concern
- Requiring participants to state the operative part of a motion first, with only brief reasoning.

However, **some Appeals Chamber judges hinder efforts to counter abuse.** A notable example is the [Appeals Chamber ruling](#) of July 9, 2025 in the case against judges of the now-defunct Kyiv District Administrative Court of Kyiv (KDAC). Two appellate judges overturned a HACC ruling and ordered a re-trial over formal violations that did not affect fairness, such as the absence of one defendant at a hearing on a motion that concerned only other parties. The Appeals Chamber also considered improper the participation of a judge who had previously refused to open a review proceeding in 2021, even though it was unrelated to the merits of the investigation. This decision risks restarting the already long-delayed “KDAC tapes” case, pending since 2022, and in effect encourages procedural abuse while undermining judicial efficiency.

On a positive note, the [Rule of Law Roadmap](#) envisages adopting and implementing legislative changes to eliminate procedural delays and improve the efficiency of criminal justice, especially in high-level official cases, by Q3 2025. However, TI Ukraine notes that the Roadmap lacks specificity regarding legislative amendments to address delays and improve efficiency, and fails to incorporate TI Ukraine’s proposals on introducing liability for procedural abuse.

HACC practice shows that certain abuses by participants in criminal proceedings may be aimed at artificially creating grounds for the automatic closure of cases due to the expiration of pre-trial investigation deadlines (one of the elements of the so-called Lozovyi amendments).

For example, in [one case](#), the defense sought to “conceal” confirmation of reviewing pre-trial investigation materials within another procedural document. On April 1, 2024, the defense was granted access to the case file, leaving only eight unused days of the pre-trial investigation period. The investigating judge set a deadline for review until June 20, 2024. However, on June 12, the defense sent the SAPO a five-page document, which included a single key sentence among numerous references to its own materials: “The defense also confirms the disclosure of the pre-trial investigation

materials and the exercise of its right under Article 290(9) of the Criminal Procedure Code of Ukraine.” Based on this, the defense claimed that the countdown resumed on June 12 and expired on June 20, meaning that the indictment filed on June 21 was out of time.

The court, however, [dismissed the motion to close the case](#), ruling that the defense’s notice lacked a specific list of materials reviewed, as explicitly required by Part 9 of Article 290 CPC. Accordingly, the defense’s argument could not serve as grounds for resuming the pre-trial investigation period.

In total, across 29 rulings analyzed where closure was sought due to expiration of pre-trial investigation deadlines, not a single defense motion was granted. Also, the Supreme Court issued a [legal opinion](#) clarifying earlier conflicting interpretations on which authority may extend deadlines in consolidated proceedings. The court held that in cases initiated before March 16, 2018, the prosecutor may extend investigation deadlines, but if an investigating judge did so, such decisions were also lawful and even better protected the rights of participants.

At the same time, there remains a risk that the Supreme Court may once again change its position, potentially resulting in case closures at the casation level.

To resolve this set of issues, **Parliament should introduce mechanisms in the CPC to optimize trial proceedings. Specifically, the Verkhovna Rada should formalize best practices for conducting hearings and provide judges with tools to counter abuses of procedural rights, including the imposition of monetary sanctions. Legislators should also abolish automatic case closure due to the expiration of pre-trial investigation deadlines.**

OTHER ISSUES IDENTIFIED DURING MONITORING

In addition to systemic challenges, our monitoring of HACC hearings revealed more targeted problems that nonetheless affect the efficiency of high-level corruption case proceedings.

Inconsistent approaches to the consequences of judge replacement

An analysis of HACC practice revealed inconsistent approaches regarding the procedural consequences of replacing a judge during ongoing trials. This issue has become particularly relevant due to judges taking maternity leave, appointment of a judge as a member of the HQCJ, and the need to redistribute their cases among other judges. The problem may intensify if, for example, first-instance judges are promoted to the HACC Appeals Chamber.

Our review of HACC rulings during the reporting period shows **two competing approaches: one based on procedural economy, the other on the priority of the right to direct examination of evidence.**

In cases such as [Krayan Plant](#), the [prosecutor of the Prosecutor General's Office](#) accused of bribery, the [Shyrokyi Lan training ground construction](#), the "[Small architectural structures case](#)" of a [former Kyiv City Council member](#), and the [State Information and Justice Enterprise embezzlement case](#), the court held that replacement of a judge did not require restarting the trial from the beginning.

The main arguments in favor of continuing proceedings included:

- The new judge may familiarize themselves with case materials and technical records of hearings
- The new judge agrees with earlier procedural rulings
- The prosecution does not object to continuing the trial
- The defense fails to prove the need for a retrial
- Balancing the principle of immediacy with reasonable time limits
- Comprehensive technical recording of hearings.

Judges also referred to [Supreme Court positions](#) recognizing some flexibility in the principle of immediacy, requiring it to be balanced with other objectives of justice.

At the same time, dissenting opinions reflect an alternative approach prioritizing the defense's right to demand a retrial when a judge is replaced.

Their main arguments were:

- Reference to Article 319(1) CPC as a mandatory requirement for retrial upon judge replacement
- Primacy of the principle of judicial panel immutability
- Objection to considering the new judge's review of case materials sufficient to deny retrial
- Emphasis on the defendant's right to direct examination of evidence.

Meanwhile, monitoring data show that in a number of cases the HACCC in fact restarted proceedings after judge replacement. Such was the case in proceedings against [lawyers accused](#) of receiving a USD 100,000 bribe intended for a judge of the Kyiv District Administrative Court (in exchange for a favorable ruling; in the case concerning the [embezzlement](#) of UAH 115 million from Kyivzelenbud; in proceedings against a [former MP](#) and developer accused of misappropriating National Guard property worth UAH 81 million;

as well as in the case against the [former chairman of the now-liquidated KDAC](#) and several other defendants charged with creating a criminal organization allegedly aimed at seizing judicial power.

Such inconsistent practice creates legal uncertainty and opens the door to potential abuses by trial participants. Therefore, Parliament should address the issue by **amending legislation, in particular to specify that in the event of judge replacement, the consent of participants is not required to continue trial proceedings**. This would be justified given that audio and video recording of all hearings allows the new judge to fully acquaint themselves with the process prior to their involvement in the case.

Problems in applying single-judge trials

Following the entry into force on May 16, 2024 of [Law No. 3655-IX](#), which introduced single-judge trials for certain categories of cases in the HACC, judicial practice has shown both positive results and some problematic aspects.

As of June 30, 2025, the HACC as a court of first instance was considering 319 criminal proceedings: 248 were being heard by three-judge panels, while 71 were being heard by single judges. Since the introduction of the single-judge trial mechanism, the HACC has issued 47 verdicts by panels of three judges and 47 verdicts by single judges.

An analysis of court rulings revealed **certain procedural difficulties** in applying the new mechanism. In [one case](#), at the beginning of the preparatory hearing, the defense requested a three-judge panel. The HACC immediately dismissed the motion without deliberation, which led to attempts at appeal and a motion to recuse the judge.

In that case, the defense referred to a change in the [Supreme Court's position](#), which held that preparatory proceedings, at the request of the defendant and subject to appropriate grounds, should be held by a panel. However, the court noted that this legal opinion was issued after its refusal to grant the defense request and therefore could not retroactively alter the decision.

In [another case](#), the defense sought to recuse a judge on the grounds that the procedure established under Article 35(3) CPC for assigning judges had been violated, arguing that the case had not been distributed among all HACC judges. The court dismissed the motion, citing the procedure for judge assignment adopted by the HACC general assembly.

Thus, the introduction of single-judge trials has shown positive results but also revealed procedural problems regarding the transition from panel to single-judge hearings and created opportunities for recusals based on doubts about case allocation procedures.

Moreover, the **criteria for assigning panel hearings in the HACC do not take into account the seriousness of the offense.** This leads to situations where even non-serious offenses (such as false asset declarations) by Members of Parliament must be considered by three-judge panels.

It is also necessary to introduce **single-judge trials in civil cases on the confiscation of unjustified assets.** While such changes were made to criminal proceedings in May 2024, no corresponding changes were made to civil procedure.

Extending single-judge trials to unjustified asset confiscation cases would significantly reduce the workload of HACC judges and accelerate the consideration of such cases, which is particularly important when swift and effective return of unlawfully acquired assets to the state is required.

Parliament should therefore review the provisions on single-judge trials in the HACC from the standpoint of efficiency and impact on justice. This requires clarifying the rules on transitioning from panel to single-judge hearings and extending single-judge trials to unjustified asset confiscation cases.

Escapes of defendants in corruption cases

The problem of defendants fleeing abroad remains one of the most high-profile challenges for the entire law enforcement system, not just the HACC. However, such cases attract the greatest public attention in HACC proceedings.

According to the court, as of June 2025, special proceedings were being conducted in 13.7% of cases (44 out of 319). This means that one or more defendants in each of these cases are beyond the reach of Ukraine's criminal justice system, having, for example, fled abroad.

One of the most notorious cases during pre-trial investigation was a key suspect in the Kyiv City Council land corruption case under the "Clean City" operation. He [managed to flee](#) to Austria, reportedly in a vehicle marked "Cargo 200," allegedly with the assistance of four individuals carrying SSU IDs, two officers of the Strategic Investigations Department in Zakarpattia, and a local council member.

The analysis of escapes highlights **weaknesses in the deterrent effect of interim measures.** For example: a former MP [accused of misappropriating](#) more than UAH 1.5 billion from Cherkasyoblenergo and Zaporizhiaoblenergo legally left the country citing his five children and never returned after February 15, 2024. A [former Kyiv City Council member](#) accused of receiving a UAH 1.39 million bribe for granting retail market permits was allowed to cross into Poland with authorization from the Head of the State Border Guard Service,

at the request of the Main Directorate of Intelligence. The former head of the Huty Forestry Enterprise, [convicted](#) of attempting to bribe a NABU detective to close a case on forestry corruption, left the country after his indictment was suspended due to mobilization into the Armed Forces.

A critical problem in monitoring suspects and defendants in top-level corruption cases is the shortage of electronic bracelets. As of July 2025, there were [only 145 functioning bracelets](#) nationwide, all of which were in use. Due in part to this shortage, a former MP convicted of attempting to bribe the head of the Agency for Restoration managed to escape to Romania in September 2024 after his bracelet obligation was lifted.

A significant number of escapes [occur](#) at late stages of trial, when defendants realize a conviction is highly likely. Four identified defendants fled during the evidence stage, and three others during appeals.

The return of fugitives also remains problematic. Interpol often refuses to issue red notices due to the perceived political nature of prosecutions, while foreign states deny extradition, citing the ongoing war in Ukraine. Despite the HACC issuing eight in absentia verdicts that have entered into force, there is still no information on any convicted fugitives being returned to Ukraine.

Nevertheless, recent successful extraditions – including the return from Germany of a former head of the Kyiv Region State Geocadastre accused in a UAH 2 billion land embezzlement case – and the creation of five special “secure” facilities for holding extradited persons demonstrate Ukraine’s adaptation of criminal justice to wartime conditions.

Overall, the effectiveness of interim measures and countering escapes of corruption defendants requires separate, in-depth study. Most likely, the root cause of escapes lies in dishonest or unlawful behavior of state officials (past and present) who facilitate illegal border crossings and tip off defendants about ongoing investigations.

The **government must at a minimum ensure a sufficient number of electronic bracelets to monitor suspects and defendants in top corruption cases. Executive authorities must also conduct effective criminal and disciplinary investigations in cases where officials are found to have facilitated such escapes.**

CHALLENGES OVERCOME IN HACC’S WORK

During the reporting period, a number of issues that had been pressing challenges in previous years were resolved at the legislative level.

MOBILIZATION OF DEFENDANTS IN CORRUPTION CASES

These include:

- The use of mobilization by defendants in HACC cases as a tactic to delay proceedings and ultimately avoid liability due to statutes of limitation
- Regulation of plea agreements, including specification of when exemption from serving a sentence is permissible, and the possibility of imposing additional or lighter sanctions in corruption-related plea bargains.

The problem of mobilization by defendants in corruption cases was ultimately addressed by Law [No. 4496-IX](#) of June 17, 2025, which amended the transitional provisions of the CPC of Ukraine. The law empowers the court to suspend proceedings against a person accused of a serious or especially serious corruption offense who has been conscripted into military service during mobilization or has signed a contract. However, suspension is permissible only if the court determines that the individual’s direct involvement in Ukraine’s defense makes participation in the trial – including remote hearings by video conference – impossible.

At the same time, the [adopted law](#) **does not provide for suspension of limitation periods** in the event of mobilization, as envisaged by [Draft Law No. 13284](#) currently under parliamentary consideration. The absence of such a provision leaves open the risk that limitation periods could expire while proceedings are suspended.

As of the reporting period, the HACC as a court of first instance suspended 40 criminal proceedings due to mobilization, 11 of them during this period. The HACC Appeals Chamber issued 4 suspension rulings during this period, bringing the total to 13.

Suspension of HACC proceedings due to the mobilization of defendants

As of June 30



From July 1, 2024 to June 30, 2025, suspended due to mobilization:



**According to the High Anti-Corruption Court*

[According to](#) the SAPO, after indictments were sent to court, 48 defendants in top-level corruption cases opted to mobilize into the Armed Forces. Court practice in such cases varies: some judges grant suspension motions, while

others determine whether defendants can still participate in proceedings despite military service.

A growing trend has also been observed whereby defendants whose cases are at the final stage of trial suddenly sign contracts with the Armed Forces or “voluntarily mobilize.” A high-profile example was the [attempted mobilization](#) of the former Head of the State Fiscal Service of Ukraine, which caused widespread public outcry and highlighted the urgent need for clear legal regulation of this issue.

Given that the grounds for suspension of proceedings have now been amended, it is expected that the HACC and its Appeals Chamber will review decisions on suspensions in cases involving individuals who joined the Armed Forces, taking into account documents submitted by participants in proceedings or information obtained from military units at the court’s request.

PLEA AGREEMENTS IN CORRUPTION CASES

On November 1, 2024, amendments regulating plea agreements in corruption cases [entered into force](#). These [updates](#) marked a step toward improving the institution of plea bargaining in corruption-related proceedings, expanding the range of tools available to the prosecution in exchange for an admission of guilt.

Before the amendments, it was possible to approve a plea agreement for any corruption or corruption-related offense (except particularly serious crimes) **without additional conditions**. Thus, even in serious corruption cases, a defendant could secure a plea deal without any obligation to expose accomplices or compensate damages.

Under the new rules, however, the approval of a plea agreement in corruption or corruption-related cases of any severity requires the suspect or defendant either to expose other participants and/or to fully or partially compensate for damages caused. The rules on plea agreements with organizers of crimes also changed: now such agreements may be concluded only if the organizer agrees to disclose another organizer.

Important changes also affected the **punishments imposed on the basis of plea agreements**. For years, a key problem was that plea agreements in top-level corruption cases did not allow for additional sanctions such as fines or confiscation of property, nor did they explicitly provide for the possibility of exempting a convict from serving a prison sentence.

The new amendments to Article 53 of the Criminal Code introduced the option of imposing an additional fine of up to UAH 204 million (depending on the severity of the crime), even if the sanction was not prescribed in the relevant article. Amendments also affected Article 77 of the Criminal Code, which had previously barred the imposition of confiscation of property

under a plea agreement. Now, confiscation may be included in the agreement and imposed by the court.

During the reporting period, **confiscation as additional punishment** was included in plea agreements twice, but the court imposed it in only one case, [citing](#) the principle of non-retroactivity of harsher law in the other.

As for fines, only one case of applying the new provisions has been identified – the [case](#) concerning misappropriation of property of Odesa International Airport, where the court imposed the maximum fine of UAH 204 million. Another defendant received a fine of UAH 102 million, while two others were fined over UAH 30 million each.

No cases were identified where plea agreements applied Article 69-2 of the Criminal Code, which allows for penalties below the minimum statutory sanction. Either no such agreements were concluded, or related verdicts remain inaccessible to the public.

The amendments also resolved the long-standing debate over whether defendants convicted of corruption could, under a plea agreement, be **exempted** from **servicing a prison term** under Article 75 of the Criminal Code. Following the adoption of the new law, such exemption is now explicitly provided for in corruption cases. It is worth noting that HACC's judicial practice, despite the lack of consistency in the approaches of other courts and even in the positions of the Supreme Court, allowed the application of Article 75 of the Criminal Code on release from serving a sentence under a plea agreement, thereby creating a clear demand for codifying this provision in the Criminal Code of Ukraine.

The **threshold** for exemption was also **raised**: previously, exemption applied to sentences of up to 5 years' imprisonment, but now it extends to sentences of up to 8 years. At the same time, Article 69-2 introduced the possibility of setting punishment below the statutory minimum, though in such cases exemption from serving the sentence is no longer possible.

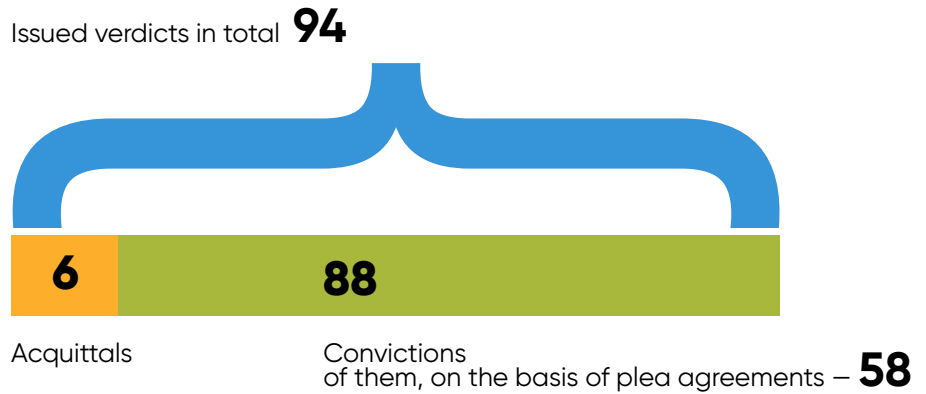
According to the HACC data, between July 1, 2024 and June 30, 2025, the HACC as a court of first instance, issued 94 verdicts: 6 acquittals and 88 convictions, of which 58 (66%) were based on plea agreements. Importantly, the court did not reject a single plea agreement submitted by the prosecution.

An analysis of 25 publicly available verdicts in corruption and corruption-related cases under the new rules shows that the vast majority of defendants (27 persons) received suspended prison sentences, while only 2 were fined. Although the maximum possible suspended term is now 8 years, courts applied this limit only 4 times. The most common sentence was 5 years (8 out of 27 cases), with the average sentence standing at 5 years and 4 months.

HACC verdicts based on a plea agreements*

from July 1, 2024, to June 30, 2025

*According to the High Anti-Corruption Court

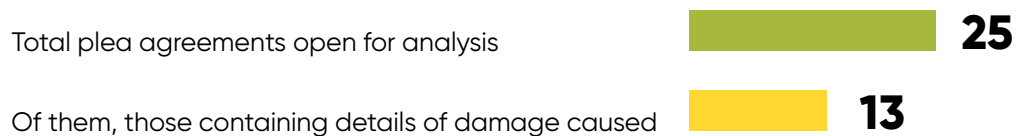


A significant share of the 29 convicted persons – 11 individuals – abused power under Article 364 of the Criminal Code of Ukraine. Five individuals convicted under plea agreements misappropriated property under Article 191. Another eight were recipients of bribes under Articles 368 and 369-2, while the remaining four were providers of undue advantage under Article 369. At the same time, only one publicly available verdict concerned a person who committed a corruption-related criminal offense, namely the failure of an official to submit an electronic asset declaration under Article 366-3 of the Criminal Code of Ukraine.

The mandatory requirement to compensate damages has **improved the economic effect of plea agreements**. In 13 verdicts involving proven damages, restitution was fully paid in 6 cases and partially in 7 cases. Based on available verdicts, the HACC secured repayment of UAH 87 million out of UAH 606 million in damages – about 15%. While seemingly modest, it should

Damages compensation in HACC verdicts based on plea agreements*

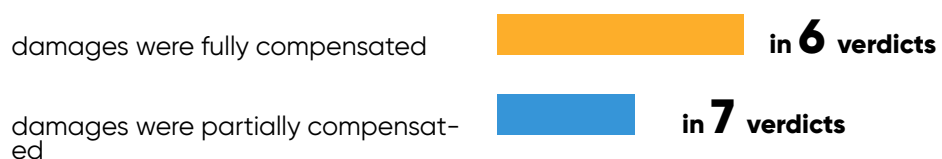
from November 1, 2024,** to June 30, 2025



*Data from the analysis of the High Anti-Corruption Court decisions

**Date of entry into force of the law on the updated plea bargaining framework

How much was reimbursed?



In total, 87 million UAH (15%) of the 606 million UAH in damages was recovered through plea agreements

be noted that most plea agreements involved accomplices and executors. Key organizers – against whom these defendants are expected to testify – could be held accountable for the remaining 85%.

Additionally, 17 of the 29 convicted agreed to transfer funds to the Defense Forces or reconstruction efforts, yielding over UAH 97 million and 6 vehicles. Altogether, under publicly available plea verdicts applying the new rules, more than UAH 250 million was returned to the state (including special confiscation, restitution, and donations), equal to about one-third of total damages.

For the effective implementation of plea agreements in corruption cases, it is critical that:

- **The HACC conduct thorough and reasoned verification of compensation amounts agreed in plea deals, ensuring they reflect both the scale of damage and the defendant’s role in the offense.**
- **Parliament make special confiscation a mandatory condition for court approval of a plea agreement wherever grounds exist.**

CONCLUSIONS

The monitoring results demonstrate that the HACC continues to fulfil its mission as a specialized anti-corruption court, yet its potential remains constrained by legislative shortcomings and external factors.

A key condition for enhancing HACC's effectiveness is a comprehensive solution to the statute of limitations problem, which poses the risk of mass case closures without consideration on the merits. The court must also ensure a consistent response to procedural abuses. Without legislative reform in these areas, other improvements will yield only limited results.

At the same time, it is essential to safeguard the independence of anti-corruption institutions and counter attempts to discredit them. The events of summer 2025 revealed the system's vulnerability to political interference, underscoring the importance of public support for such bodies and international monitoring of anti-corruption reform implementation.

The success of anti-corruption justice depends on the integrity of the entire system – from the quality of NABU investigations and SAPO's prosecutorial leadership to the effectiveness of adjudication at the HACC and enforcement of verdicts. Their development must therefore be systemic and account for the interconnections between different elements of the anti-corruption infrastructure.

As Ukraine advances on its path to European Union integration and seeks further international support, the effective functioning of anti-corruption justice is not only a domestic necessity but also a crucial component of the country's international reputation. Implementing the recommendations of this report will help strengthen trust in the High Anti-Corruption Court, both domestically and internationally.

ABOUT THE RESEARCH ON MONITORING THE ACTIVITY OF THE HACC

The purpose of this project is to analyze the judicial practices and operations of the HACC in terms of compliance with the standards of criminal procedural legislation, identify the problems in the HACC's interaction with other participants in the criminal process, and outline promising areas for the institution's growth.

Monitoring period and resources involved. The report covers the monitoring period from July 1, 2004, to June 30, 2025. Our experts continue to focus more on the substantive aspects of holding meetings and conducting content analyses of court decisions.

Activities within the project included:

- gathering information during meetings using questionnaires;
- drawing requests to state authorities;
- analysis of HACC's decisions.

Project objectives:

- determine the level of procedural efficiency of the court;
- identify typical violations of procedural legislation by judges, prosecution and defense parties;
- monitor the implementation of the recommendations of the previous stage.

References. Questionnaires were used to monitor procedural issues, documenting the progress of the meeting, the actions of the parties, and other procedurally significant events. TI Ukraine experts have developed questionnaires for pre-trial and court proceedings, as well as for the legal mechanism of civil confiscation, which is evaluated according to civil procedure rules.

For the analysis of court decisions, a [special methodology](#) was refined to allow assessment of judicial decisions for compliance with the principles of criminal proceedings. To obtain information that is not publicly accessible, experts submitted formal requests to the HACC and other relevant state bodies.

The **subject of monitoring** comprises selected cases from NABU and SAPO that were considered by the HACC and the HACC Appeals Chamber (HACC AC).

Several factors were considered in the selection of corruption-related criminal proceedings for monitoring.

- **The stage of consideration of the case.** Priority was given to proceedings that commenced at the HACC, as their analysis enables a comprehensive assessment of the court's performance.
- **Ongoing relevance of the case.** Given the clear subject matter jurisdiction and the nature of the criminal proceedings, there are cases under consideration at the HACC that garner significant public interest and attention.

**THIS RESEARCH WAS
DEVELOPED BY**

*Heads of the
department:* Andrii Borovyk
Kateryna Ryzhenko

*Authors of the
research:* Pavlo Demchuk
Andrii Tkachuk

Monitoring group: Oksana Kopiichuk
Andrii Tkachuk
Anna Reva
Iryna Papakytsia
Illia Kukhareenko

Analytical group: Olena Tsiupak
Anastasiia Mazurok

Editor: Viktoriia Karpinska

Designer: Julia Kunshchykova

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Transparency International Ukraine is an accredited chapter of the global movement Transparency International, helping Ukraine grow stronger since 2012. The organization takes a comprehensive approach to the development and implementation of changes for reduction of corruption levels in certain areas.

TI Ukraine helped create and subsequently transferred Prozorro, Prozorro. Sale, eHealth, and Prozvit systems to the state. The team also implemented City Transparency and Accountability Rankings, developed the DOZOR-RO community to control public procurement, and co-founded the RISE UA Coalition to protect integrity and efficiency in the reconstruction process.