ANTICORRUPTION ACTION CENTRE

INSTITUTE OF MASS INFORMATION

MEZHA

AUTO MAIDAN

MEDIA INITIATIVE for Human Rights

DEMOCRACY JUSTICE REFORMS

RULE OF LAW, JUSTICE, AND FUNDAMENTAL RIGHTS IN UKRAINE

SHADOW REPORT

KYIV 2025

Kingdom of the Netherlands

The Report prepared with the support of Embassy of the Kingdom of the Netherlands under MATRA Programme. Report reflects its author(s) views and does not necessarily correspond with the position of the Embassy.

TABLE OF CONTENTS

EXECUTIVE SUMMARY

On October 30, 2024, the EU Commission presented its second Ukraine report under its Enlargement package and listed suggestions for further reforms and improvements. EU-Ukraine first Intergovernmental Conference, which formally opened the accession negotiations took place on June 25, 2024, with bilateral screening meetings having started in July. Yet, since then, the progress on Ukraine's negotiations track has been stalled by the persistent politically motivated Hungarian veto. Despite this, Ukraine has continued its homework, preparing the Rule of Law Roadmap and other documents needed for launching the talks.

Our second Shadow Report provides an independent civil society assessment of Ukraine's progress in the judiciary and fight against corruption, fundamental rights, and justice, as outlined in Chapters 23-24 of the EU accession process. The reporting period covers the progress achieved between September 2024 and early-October 2025. The Report considers the extraordinary circumstances of the full-scale Russian war as well as politically blocked progress of the EU accession negotiations.

Despite some relative progress in areas of justice, rule of law, and human rights, since January 2025 Ukraine has continuously suffered from numerous attempts to roll the progress of the sectoral reforms back. The attempts culminated into a blatant attack on the independence of the anti-corruption institutions executed by the unreformed law enforcement bodies. This has not only impacted the international partners' trust in Ukraine's political elites' commitment towards the rule of law reforms but also provoked nation-wide protests in Ukraine, the first ones since Russia's full-scale onslaught. Despite the restoration of the anti-corruption bodies' powers on a legislative level, the pressure on individual investigators persists and harms the work of the anti-corruption system in the long-term. Therefore, ensuring the independence of anti-corruption institutions requires constant monitoring.

Moreover, the progress in criminal procedure legislation remains limited and suffers from persistent flaws, as we indicated in our previous Shadow Report 2024. Limited powers of prosecutors of the Specialised Anti-Corruption Prosecutor's Office (including the still-valid and harmful 'Lozovyi amendments'), short statutes of limitations for corruption-related crimes, potential abuse of procedural rights by defendants are just a few. The National Anti-Corruption Bureau underwent its first-of-its-kind independent audit and received moderately positive results, with challenges including, in particular, the lack of independent forensic expertise and wiretapping capabilities, and the inefficient internal control system.

Also, during the reporting period, several legislative attempts were made to limit the powers of the National Agency on Corruption Prevention and to weaken the public officials' lifestyle monitoring tool. Despite Ukraine's commitment to the International Monetary Fund, the selection of the Economic Security Bureau director had been obstructed and therefore delayed. Yet, later, after rounds of public and international pressure, a new leadership of the institutions has been appointed by the government and is now tasked with a full Bureau's reset.

To address persistent corruption and ineffective leadership in the National Police, Ukraine should adopt legislation that ensures an open, EU-aligned selection process for NPU leadership with international and civil society oversight. The politicisation of the Prosecutor's Office as well as the unreformed State Bureau of Investigation and the Security Service of Ukraine remains a menacing issue, which threatens both the independence of the reformed bodies as well as civil society and military personnel.

Despite ongoing challenges, some of the institutions built as part of Ukraine's EU integration process have begun to deliver tangible results. Disciplinary bodies have successfully removed some of the most notorious low-integrity judges. The participation of international experts in judicial selection has proven to be a cornerstone of ensuring integrity and professionalism in Ukraine's judiciary. However, sunset clauses in the laws governing selection bodies will gradually phase out their involvement, replacing international experts with nominees from unreformed, politically compromised institutions. The most urgent priority is the restoration of international experts to the Selection Commission of the High Qualification Commission of Judges, whose tenure expired on June 1, 2025.

The Constitutional Court of Ukraine represents a particularly important issue. Five seats remain vacant, and although quorum has been formally restored, the Court cannot operate effectively. The Supreme Court continues to issue rulings that obstruct judicial reform, reverse disciplinary sanctions against low-integrity judges, and undermine the mandates of the High Council of Justice and the High Qualification Commission of Judges. Without rigorous vetting of its composition, in addition to the introduction of a new selection process that centres the casting vote of independent international experts, the Supreme Court will continue to be a systemic obstacle to judicial reform and to broader democratic transformation. Although Ukraine's judicial reform is now being gradually implemented, due to the lack of political will to advance it further, there is a persistent risk of a rollback. Opponents of reform within the judiciary and within political authorities are systematically jeopardising the progress achieved over the last few years, testing the limits of international tolerance. Without firm, specific, and binding reform conditionalities, Ukraine risks backsliding on reforms.

In the reporting period, Ukraine continued strengthening its human rights mechanisms, with the Ombudsman's Office advancing draft legislation to bring its mandate fully in line with the Paris Principles and enhance its monitoring role. Systemic shortcomings persist in the execution of European Court of Human Rights judgments, where Ukraine remains among the top countries in pending applications, and torture and ill-treatment in detention facilities continue to be reported. These gaps underline the importance of institutional reform and more consistent implementation of human rights standards.

In the area of national minorities, legislative and institutional progress was visible, including the adoption of the Action Plan on Minority Rights and steps toward preserving endangered languages, alongside continued implementation of the Roma Strategy. Advisory bodies such as the Public Council under the State Service for Ethnopolitics and Freedom of Conscience and minority associations also contributed actively to shaping policies. At the international level, consultations with Hungary and the submission of the Sixth Periodic Report to the Council of Europe marked important steps.

Media freedoms remained resilient but under dual pressure. On one hand, Ukrainian journalists and outlets continued to play a crucial role in exposing abuses, maintaining pluralism, and countering disinformation, while the National Public Broadcasting Company preserved its editorial independence despite financial strain. On the other hand, wartime conditions led to increased restrictions, opaque parliamentary practices, and chronic underfunding that undermined sustainability.

The situation of internally displaced persons remained a pressing concern. Despite the adoption of the 2023–2025 IDP Strategy, its implementation was assessed as unsatisfactory, with limited progress on housing, employment, and social integration. Many displaced families continue to face poverty and uncertainty, while access to durable solutions remains constrained. Ukraine should strengthen the protection of internally displaced persons by adopting Draft Law No. 12301, establishing clear criteria for social benefits, and updating the implementation plan for the State Policy on Internal Displacement to reflect current needs.

This report has been prepared by the Anti-Corruption Action Centre, DEJURE Foundation, Automaidan, MEZHA Anti-Corruption Centre, Institute of Mass Information, Media Initiative for Human Rights, and independent expert Andrii Mikheiev.

CHAPTER 23: JUDICIARY, ANTI-CORRUPTION & FUNDAMENTAL RIGHTS

01 FUNCTIONING OF THE JUDICIARY

• JUDICIAL GOVERNANCE BODIES

Although the High Council of Justice and the High Qualification Commission of Judges have increased their activity and adopted several long-awaited decisions, systemic problems persist: namely selective accountability, resistance to integrity mechanisms, and political pressure. Dismissals of high-profile, low-integrity judges have triggered political backlash and efforts to weaken the very institutions that ensure judicial accountability

• HIGH COUNCIL OF JUSTICE

During the reporting period, the High Council of Justice (HCJ) intensified disciplinary work, dismissing or punishing dozens of judges. For the first time in years, progress was made in accountability for corruption and misconduct, including judges from the liquidated District Administrative Court of Kyiv (DACK). The HCJ dismissed Pavlo Vovk – ex-head of DACK and a symbol of judicial corruption – as well as Vsevolod Kniazev, the former Supreme Court Chief Justice who was caught taking a $2.7 million bribe. Other prominent dismissals mark a significant step forward in strengthening judicial accountability.

dismissed

Pavlo Vovk

dismissed

Vsevolod Kniazev

However, this progress was not uniform. The HCJ's disciplinary practice continues to suffer from internal contradictions and selective enforcement:

01	**Uneven application of sanctions** remains a major issue. Furthermore, statistics concerning members of the HCJ differ significantly between individuals;
02	The HCJ continues to **allow judges with integrity reservations to resign voluntarily**, avoiding enforced dismissal and thus securing lifetime benefits;
03	In some cases, the HCJ **suspends disciplinary proceedings** pending Supreme Court appeals, effectively enabling judges to stall accountability for years;
04	**Delays and inaction** remain widespread in cases involving judges with documented misconduct;
05	The HCJ repeatedly **refused to dismiss** judges despite serious allegations or to clear recommendations from the HQCJ and the Public Integrity Council (PIC);
06	A serious issue is the **legal prohibition on appealing the decisions of HCJ disciplinary chambers**, unless explicit permission is granted by the chamber itself – a provision enshrined in the Law of Ukraine, "On the High Council of Justice".

SERVICE OF DISCIPLINARY INSPECTORS

For the first time, the HCJ began adopting disciplinary decisions based on conclusions from the newly created Service of Disciplinary Inspectors (SDI) – a milestone reform and a success owed to the involvement of international experts in selecting its members. In its first six months (Dec-Jun 2025), the SDI reviewed 4,810 complaints (around 30% of all submitted), though a substantial share involved clearly unfounded claims, reflecting a continuation of the pre-SDI practice of the HCJ. Nevertheless, its work has begun to produce tangible results:

225↗ disciplinary cases — were opened in six months, with a significant surge in May and June (69 cases);

27 JUDGES — have already been brought to disciplinary liability based on inspectors' conclusions – a significant increase from only four such cases in the first four months.

However, inspectors' performance remains uneven: while some have initiated dozens of cases, others have only opened 2-4 cases.

A positive trend is the opening of cases against judges of the liquidated District Administrative Court of Kyiv, long associated with systemic judicial corruption. Nonetheless, the SDI still faces institutional risks. In early 2025, information arose that 15 out of 21 disciplinary inspectors had applied for judicial positions. The primary reasons cited by SDI members are (1) insufficient financial remuneration, and (2) the lack of adequate institutional and financial independence from the HCJ.

• HIGH QUALIFICATION COMMISSION OF JUDGES

While the High Qualification Commission of Judges (HQCJ) has demonstrated measurable improvement since its relaunch, it currently faces an existential threat from two sources: increasing pressure from the unreformed State Bureau of Investigation (SBI), and the expiration of international expert tenure in the HQCJ Selection Commission.

On August 12, the HCJ appointed Ihor Kushnir to one vacant seat in the HQCJ. However, more vacancies can appear due to the ongoing investigation of the National Anti-Corruption Bureau of Ukraine and due to pressure from the SBI. As of 1 June 2025, marking two years of work by the reconstituted HQCJ, several positive developments merit being highlighted:

- LOCAL AND APPELLATE COURTS SELECTION **LAUNCHED**
- **FULL ACCESS** FOR THE PUBLIC INTEGRITY COUNCIL TO JUDICIAL DOSSIERS
- **AGREEMENT** WITH ALMOST EVERY SECOND PIC'S NEGATIVE OPINION WITHIN THE QUALIFICATION ASSESSMENT
- **IMPROVEMENT** OF COMPETITION PROCEDURES
- A HIGH LEVEL OF **TRANSPARENCY** IN THE COMMISSION'S OPERATIONS

QUALIFICATION ASSESSMENT

Since the relaunch of the qualification assessment by the reformed HQCJ in November 2023, **297 judges** have completed the assessment hereafter as of August 2025.

The HQCJ has reviewed **120 negative opinions** of the Public Integrity Council. In **51 cases**, the Commission recommended dismissal, and on two occasions it supported PIC opinions during competitive procedures, including the rejection of Pavlo Vovk's candidacy for the Supreme Court. However, in **67 cases**, the HQCJ deemed judges fit for office, despite negative PIC opinions.

The level of alignment between the HQCJ and the PIC has stabilised at around **43%**, and is unlikely to change significantly in the short term. Qualification assessment is largely on hold due to the heavy involvement of both bodies in the ongoing appellate court competition.

The 297 outcomes recorded since the start of the current qualification assessment process are as follows:

85 judges (28.6%)

received other decisions, including 53 (17.8%) who avoided integrity vetting by retiring honourably before the process was completed

51 judges (17.2%)

were recommended for dismissal to the High Council of Justice

161 judges (54.2%)

passed and remain in office

SELECTION OF JUDGES

The High Qualification Commission is preparing to select approximately 1,800 judges for local courts and 550 judges for appellate courts. PIC processes 60–70 dossiers/month, but is bottlenecked by its secretariat analysts' lack of personal data access; it seeks safeguarded authorisation — either via HQCJ-obtained judges'/candidates' written consents or by legislative amendments.

PRESSURE FROM THE STATE BUREAU OF INVESTIGATION

The Commission faced external pressure. In March 2025, the **State Bureau of Investigation conducted searches in the HQCJ** and targeted individual members, particularly those involved in assessing influential DACK and Pechersk court judges. Five criminal proceedings were launched against HQCJ members based on politically motivated complaints. The HQCJ itself has called this "pressure." Several members may resign as a result, and under current rules, any replacements will be selected without international oversight, breaking the fragile pro-reform majority in the HQCJ.

A compromised HQCJ would control the selection of judges to two new administrative courts, the High Anti-Corruption Court, the vetting and selection for the Supreme Court, as well as the selection of approximately 1,800 judges for local courts and 550 judges for appellate courts. This would shape the composition of Ukraine's judiciary for decades. The qualification assessment process, a key tool for removing low-integrity judges, would also be at significant risk.

EXPIRATION OF INTERNATIONAL EXPERTS' TENURE WITHIN THE HQCJ SELECTION COMMISSION

The tenure of international experts in the HQCJ Selection Commission ended on 1 June 2025. This is a highly negative development. Their seats are to be filled by nominees from unreformed and politically compromised bodies – the Council of Prosecutors, the Bar Council (chaired by Medvedchuk's associate Lidiia Izovitova), and the National Academy of Legal Sciences. All three have already nominated their candidates. The Council of Judges, long known for nominating judges of low integrity, will also continue to send its delegates.

On 22 July 2025, the High Council of Justice announced the launch of a new HQCJ Selection Commission that lacks international experts – a deliberate move that dismantles a proven reform mechanism, and one that sets a dangerous precedent which could cascade into the removal of international participation from all judicial selections.

OVER **56%** of Ukrainians believe international experts should have a casting vote in judicial selections

Prior reform experience shows that, at this stage, selection processes without international expert participation tend to fail and consequently require a new reform cycle, whereas involving international experts consistently delivers better results. **More than 90 Ukrainian NGOs** have called for the urgent reinstatement of international experts.

On 18 June 2025, MPs from Servant of the People and Holos introduced Draft Law No. 13382 to reinstate international experts in the HQCJ Selection Commission for at least three years. Its adoption is vital to prevent reform rollback, ensure merit-based judicial appointments, and preserve the integrity of selection and qualification assessment. Strong support from international partners, particularly from the EU, is crucial for sustaining momentum and meeting accession benchmarks.

• THE PROBLEM OF THE COUNCIL OF JUDGES

The Council of Judges (CoJ), formally tasked with "acting in the interests of all judges," has in practice covered up low-integrity judges, shielded them from accountability, and pressured whistleblowers. It has opposed judicial reform and delegated low-integrity members to selection commissions. Following the reform of judicial governance bodies, the CoJ's functions could easily be transferred to other institutions. A draft law, registered in January 2023, proposed liquidating the CoJ and transferring its power to convene the Congress of Judges to the HCJ. This step, supported by NGOs and following the recommendations by the Venice Commission, remains stalled in Parliament.

• CONSTITUTIONAL COURT

During the reporting period, Ukraine advanced a new selection procedure for Constitutional Court (CCU) judges, involving the Advisory Group of Experts (AGE), and including international participation. This reform is a crucial step in strengthening the CCU's independence, professionalism, and integrity in line with the Venice Commission's recommendations.

Four judges have now been appointed under the new competitive procedure – Serhiy Riznyk, Alla Oliynyk, and Oleksandr Vodiannikov, and Yurii Barabash.

Serhiy Riznyk

Alla Oliynyk

Oleksandr Vodiannikov

Yurii Barabash

From 27 January to 27 June 2025, the CCU operated without a quorum, having only 11 of 18 judges. The appointment of judge Vodiannikov under the presidential quota restored quorum, but left six vacancies and an only partly functional court. Under the parliamentary quota (2 vacancies), the AGE submitted a shortlist in February, but the Legal Policy Committee only held interviews on October 3. On October 8, the Parliament's Plenary did not support any candidate. The competition from the Parliament's quota will start from the begining. The President, with delay, filled two of the three vacancies under his quota despite 3 vetted nominees being available, showing limited political will. The appointments of judges Vodiannikov and, later, Yurii Barabash on September 17, 2025, demonstrated the President's intention to restore the Court's quorum, but not yet to ensure a fully operational Constitutional Court. The Congress of Judges has also stalled (2 vacancies), restarting its selection process due to a lack of qualified applicants, with a new call for candidates having closed on 2 July 2025.

Although the CCU's **quorum has been formally restored**, its ability to function remains extremely limited. Decisions require at least 10 votes out of the 13 current judges, and in practice, any absence due to illness or leave results in the Court losing quorum again and becoming inoperative. This severely limits the Court's capacity to issue rulings.

• SUPREME COURT

While the Supreme Court was previously seen as an unreformed institution – one with corruption risks, and one that issued occasional harmful rulings – the situation has significantly deteriorated. It is no longer about isolated cases: the Court now consistently produces entire categories of decisions that systematically disrupt judicial reform efforts. As such, the Supreme Court now poses a direct and escalating threat to the future of judicial reform.

The European Commission recommended addressing the corruption risks within the Supreme Court in both enlargement reports (from 2023 and 2024). However, no progress has been made.

Currently, over **51% of current Supreme Court judges** have serious integrity reservations, based on information from the Public Integrity Council. Some judges reportedly held Russian passports at the time of their appointment. Nearly 69% of Ukrainians do not trust the Supreme Court.

A TREND OF HARMFUL DECISIONS

Rather than protecting the reform process, the Supreme Court has actively worked to undermine judicial accountability, reverse institutional progress and jeopardise the qualification assessment. The following recent decisions illustrate a threatening trend through:

- The erosion of the HQCJ's vetting power
- Undermining the High Council of Justice's disciplinary function
- The sabotage of judicial accountability through "honorary resignations"
- Legalising illicit enrichment and false declarations

Furthermore, there is a growing problem of low-integrity judges being appointed to the Supreme Court's Grand Chamber. The Grand Chamber hears the most complex cases, making the integrity of its members crucial.

IMITATION OF REFORM

In April 2025, the Cabinet of Ministers submitted Draft Law No. 13165: presented as a Supreme Court reform, yet in reality only imitating change. While it merged integrity and family ties declarations, and obliged the HQCJ to review updated declarations of high court judges, it reduced vetting to a formality by limiting checks to the past three years, and by allocating the Public Integrity Council only an advisory role. The government also falsely interpreted "independent experts" as PIC members, excluding international experts key to past reforms.

On 3 June 2025, Parliament adopted the most harmful version in first reading: Draft Law No. 13165-2, which eliminated any one-time vetting mechanism with international expert involvement, and which limited review windows to just one year. This mirrors the tactic already seen with draft laws on administrative courts: introduce a flawed draft, adopt an even worse version first, then later push through a "compromise" that still remains deeply problematic.

Neither the government's draft nor the alternative provide real reform, nor do they align with DG ENEST's position. **Genuine reform requires a one-time, comprehensive vetting of all current Supreme Court judges with respect to their entire careers, carried out by an independent commission and incorporating a decisive role for international experts.**

NEED FOR COMPREHENSIVE REFORM

The systemic nature of the Supreme Court's problems leaves only one viable solution: a comprehensive reform based on a two-step approach: rigorous vetting of current Supreme Court judges and transparent selection of new appointees. Both steps must ensure the decisive role of independent international experts.

Without a strong and immediate international stance, Ukraine risks a cascading rollback of justice reform, with international experts gradually excluded from all key selection bodies – including the Advisory Group of Experts for the Constitutional Court, the Ethics Council for the HCJ, and others.

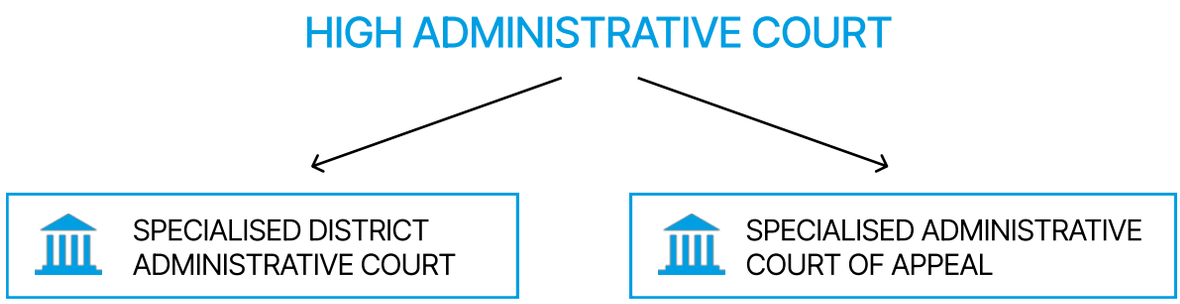
Reforming the Supreme Court must be treated as a top political priority for Ukraine's EU accession. Without urgent action, the Court will continue issuing rulings that undermine both judicial reform and other critical reforms essential for Ukraine's democratic transformation. This assessment of Supreme Court reform aligns with the recommendations from DG ENEST:

- **establish** a vetting procedure for high court judges with the involvement of the Public Council of International Experts (PCIE) or another body of independent experts appointed by the international community;
- **remove** time limits for integrity checks;
- **reinstate** the provision treating late submission or deliberate misrepresentation in declarations as a serious disciplinary offence;
- **expand** the scope of integrity declarations by incorporating elements from Draft Law No. 13165.

• ADMINISTRATIVE JUSTICE

In December 2023, under an IMF Memorandum, the Ukraine Facility Plan, and G7 priorities, Ukraine committed to creating a new administrative court for cases against national state bodies. The judges would be vetted for competence and integrity under procedures that grant international experts a casting vote. Yet no progress was made in 2024, and it was only in February-March 2025 that Draft Law No. 12368-1 was adopted: a flawed compromise criticised by civil society.

The law establishes two new courts rather than one independent High Administrative Court – the Specialised District Administrative Court, and the Specialised Administrative Court of Appeal. Yet the law excludes the courts' jurisdiction over cases against judicial governance bodies (HCJ, HQCJ), leaving them with only the Supreme Court, which is undermining reform efforts.



The selection mechanism is also structurally flawed. Judges are to be chosen by an Expert Council, comprising three international experts and three nominees from the unreformed Council of Judges. While experts formally hold a casting vote, this is diluted by joint decision-making with the HQCJ. The law fails to define voting rules for the Expert Council itself, enabling the possibility for sabotage or manipulation.

The new administrative courts also face financial and institutional risks. Unlike the High Anti-Corruption Court, they will be financed through the scandal-ridden State Judicial Administration, which remains vulnerable to political influence. The law omits key transparency safeguards, such as publishing selection criteria or evaluation results.

• INTERNATIONAL INVOLVEMENT IN THE SELECTION OF JUDGES

Ukraine's use of independent international experts in judicial selections has been a valuable reform; most notably exemplified by the Public Council of International Experts in the High Anti-Corruption Court process. Hybrid commissions, though imperfect, have proven far better than purely domestic ones. Yet political authorities now openly plan to phase out international involvement from key selection processes.

The participation of international experts in these selection commissions is subject to sunset clauses, which limit their tenure:

01 **Public Council of International Experts** – On October 8, 2024, the Verkhovna Rada adopted the relevant Draft Law, extending the PCIE's tenure by 18 months until May 2026. However, this extension is insufficient for the PCIE to fully accomplish its objectives.

02 **Ethics Council** – In November 2027, the Ethics Council's international experts are to be replaced by members appointed by Ukrainian bodies. The Ethics Council's efficiency during the selection process for the HCJ was noticeably lower compared to the PCIE.

03 **Advisory Group of Experts –** The AGE's international experts' tenure ends in August 2029. Considering that the involvement of inter

04 **Selection Commission** – The international experts' tenure in the HQCJ Selection Commission ended on June 1, 2025. The Bar Council, the National Academy of Legal Sciences, and the Council of Prosecutors had already nominated candidates to the Commission to replace the international experts.

Limiting the involvement of international experts to a specific number of years always encourages political and judicial authorities to delay crucial reform steps until their mandate expires. Moreover, each time the extension of international experts' participation in various selection commissions is required, political authorities will attempt to reduce their influence further, as was the case with the law on the two administrative courts.

Therefore, in this case, a sustainable solution is to determine the duration of international involvement until the judiciary is qualitatively reformed. While it should remain temporary, withdrawal must depend on proven capacity, not on deadlines. For now, international involvement is essential, as evidenced when the Council of Judges nominated candidates with integrity concerns. International experts should stay at least until: (1) two full selection cycles of each key judicial governance body are completed with their participation (e.g. HQCJ in 2023 and again around 2027); (2) Ukrainian institutions demonstrate the ability to run independent, high-quality selections; and (3) the European Commission explicitly confirms that reforms meet EU standards.

- ## DETRIMENTAL LEGISLATIVE INITIATIVES UNDERMINING JUDICIAL REFORM

During the reporting period, a number of draft laws were introduced or advanced in the Verkhovna Rada that pose serious threats to the integrity, transparency, and independence of Ukraine's judiciary. If adopted, they would reverse key reform achievements and legitimize impunity for low-integrity judges.

DRAFT LAW NO. 13137

(March 26, 2025) proposes to drastically narrow the grounds for, timeframes regarding, and types of disciplinary sanctions available under current law. If passed, this law would make it virtually impossible to dismiss judges involved in corruption, collaboration, or gross misconduct.

DRAFT LAW NO. 7033-D

would grant judges the authority to restrict public access to court rulings in the Unified State Register of Court Decisions under vague "security" justifications. This measure would enable judges to arbitrarily conceal important decisions from public oversight, reducing transparency and enabling corruption.

DRAFT LAW NO. 6049

allows the High Council of Justice or the Council of Judges to transfer local court judges to appellate courts without a proper qualification assessment. This creates a shortcut for low-integrity judges to gain promotions outside of competitive selection processes, and poses a risk of politicised judicial appointments. The Draft Law was adopted as a basis on February 25, 2025.

DRAFT LAW NO. 13165 AND DRAFT LAW NO. 13165-2,

which are an imitation of the Supreme Court reform.

- ## THE BAR

In its 2024 Ukraine Report, the European Commission stated: "No progress was made on Bar reform. The relevant legislation has yet to be aligned with the Constitution, applicable European standards and good practices." Since then, no tangible progress has been made in this area. The government has shown little willingness to address the issues of the Bar.

Concurrently, representatives of the self-governing Bar bodies continue to reject the necessity of reform, maintaining the Bar's successful functioning and compliance with European standards. However, critical issues – such as using disciplinary mechanisms to exert pressure on attorneys – remain unaddressed. Rather than acknowledging these problems, the Ukrainian National Bar Association (UNBA) highlights its involvement in drafting the Convention for the Protection of the Profession of Lawyer as proof of the Bar's development. The head of the UNBA supposes that the reform would obstruct Ukraine's accession to the EU.

A troubling trend is the growing number of attorneys implicated in crimes against national security, including cooperation with Russian authorities. In October 2024, the President sanctioned 90 individuals advised on evasion of mobilisation, or linked to unlawful rulings and unauthorised access to the State Register of Court Decisions – of whom nearly a nearly a third are attorneys that collaborated with occupation authorities. The Bar's governing bodies failed to respond and instead defended attorneys implicated in misconduct.

These incidents highlight the urgent need to reset Bar institutions, introduce integrity checks at admission, and ensure real disciplinary accountability. Disciplinary bodies remain opaque, withholding information on complaints and outcomes.

Financial transparency is also lacking: the UNBA has not published reports for 2022–2024, citing martial law. It initially refused to disclose support to the Armed Forces, later reporting a transfer of nearly 10 million UAH – this only after a court order, and without documentation as proof. The Armed Forces and law enforcement later confirmed they had received no such support.

Draft Law No. 12320, adopted in July 2025, introduces administrative liability for publicly identifying an attorney with their client. Its vague wording breaches legal certainty and threatens freedom of expression – even journalists could be fined for reporting who an attorney represents. Enforcement is delegated to regional Bar councils with expired mandates and questionable impartiality, heightening risks of selective use against media and civil society. The President has not yet signed this law.

We believe the **Bar reform should include the following key elements:**

01 **Renewal of the Bar's bodies**, including direct elections that involve all licensed lawyers, and the establishment of a selection commission with the participation of independent international experts to assess the integrity of candidates for national-level Bar institutions.

02 **Unification of the Bar exam**, ensuring transparent and fair procedures, including integrity checks for all candidates. The administration of the exam should be transferred to a separate qualification body of the Bar.

03 **Increased transparency and accountability of Bar bodies**, including public access to their meetings, publication of decisions, and independent audits of financial reports.

04 **Decentralisation of continuing professional development**, allowing attorneys to independently choose training providers and professional development pathways.

05 **Ensuring the independence and transparency of disciplinary bodies**, with clear legal regulation of procedures and sanctions.

06 **A review of mandated UNBA membership** and the development of a pluralistic system of representative attorneys' associations.

• LEGAL EDUCATION REFORM

Legal education remains one of the most popular fields of study in Ukraine, consistently ranking among the top ten choices by applicants.

As of 1 April 2025, a total of

89,704

students are pursuing legal education at all levels,

300

across approximately **educational institutions**

These institutions fall under the authority not only of the Ministry of Education and Science, but also of the Ministry of Internal Affairs, the Ministry of Justice, the Security Service of Ukraine, the Ministry of Finance, and other government bodies.

Two distinct systems of access to legal education continue to exist – one for institutions under the authority of law enforcement agencies (hereinafter referred to as "institutions with specific learning conditions"), and another for all other institutions. Admissions to institutions with specific learning conditions are governed by a separate procedure that is different from the general system.

On 14 May 2025, the Government approved a Rule of Law Roadmap, which outlines seven measures necessary for reforming legal education. One of these measures includes adopting a separate law on legal education. This law is expected to define the framework for training legal professionals and their entry into the profession, as well as clearly separate legal education from the training of personnel for law enforcement agencies.

PROGRESS

Optimisation of licensed enrolment quotas in law

The Ministry of Education and Science has finally begun to address the issue of inflated licensed enrolment quotas for legal education programmes. During April-May 2025, the Ministry issued several orders to reduce or revoke licences for educational programmes, including in law, primarily due to less than 50% of the quota being filled. As a result, the licensed quota for bachelor's and master's law programmes was reduced by almost 3,000 seats each. The quotas will be reviewed annually as of January 1.

Reduction in state-funded admissions

In 2025, state-funded places for legal education decreased by a count of 386 for bachelor's programmes and by 200 for master's programmes compared to 2024. For the first time, MIA institutions received no state-funded master's places – though they still hold over half of all state-funded places, including 750 for bachelor's programmes.

Administration of the Unified State Qualification Exam under the updated framework

At the end of November 2024, the Unified State Qualification Exam for master's law students was held for the second time, under a revised framework emphasising EU law. Of 8,125 participants, 942 (11.56%) failed to reach the 38/115 pass threshold. Unresolved issues include whether students from state-funded institutions with special learning conditions must take the exam, and there are ongoing concerns about test quality.

WHAT HAS NOT YET BEEN ACHIEVED, BUT REMAINS NECESSARY

Institutional separation between legal education and training for law enforcement personnel

No significant progress has been made in this area. Law enforcement universities continue to train lawyers, while civilian institutions are tasked with training professionals in "Law Enforcement." Yet there is an imbalance: while the former receive state funding for legal education, civilian institutions receive no state-funded places for law enforcement training.

In June 2025, the State Regulatory Service approved a draft law on the modernisation of higher education that further entrenches this imbalance. The law prohibits civilian universities from providing law enforcement training, while allowing law enforcement institutions to continue the training of lawyers.

Adoption of a separate law on legal education

Work continues on a draft law on legal education and access to the legal profession, as foreseen in the Rule of Law Roadmap. In February 2025, the Legal Policy Committee approved the Concept of the Draft Law of Ukraine, "On Higher Legal Education and Initial Access to the Legal Profession." This law envisages a restructuring of legal education, a phasing out of part-time programmes, a strengthening of licensing and accreditation, and ensuring a separation between legal training and law enforcement training.

CHAPTER 23: FIGHT AGAINST CORRUPTION

02 FIGHT AGAINST CORRUPTION

- NATIONAL AGENCY FOR CORRUPTION PREVENTION

LIFESTYLE MONITORING

In 2024–2025, lifestyle monitoring became one of the main tools used by the National Agency for Corruption Prevention (NACP). The monitoring resulted in dozens of lawsuits filed with the High Anti-Corruption Court (HACC) to instigate the civil forfeiture of assets.

In 2024, the NACP transferred 20 materials worth over UAH 90 million. Between January-June 2025 alone, 20 lawsuits were filed for more than UAH 134 million, with UAH 30+ million already having been collected for the state budget (lawsuits against Minister of Agrarian Policy Vitaliy Koval, etc.).

During the reporting period, several legislative attempts were made to limit the NACP's powers and to weaken the lifestyle monitoring tool, reducing it to a formality. An amendment to Draft Law No. 12374-d provided that checks could only be carried out on assets acquired while in office, excluding property registered to relatives, as well as those acquired before appointment and after dismissal. Furthermore, Draft Law No. 13271-1 proposed a significant narrowing of scope with regards to lifestyle monitoring and the civil forfeiture mechanism, limiting them only to the period of office.

Following criticism from civil society and international partners, these initiatives were dropped. The lifestyle monitoring tool has proven its efficiency in control and prevention, and should therefore be preserved and strengthened.

VERIFICATION OF PUBLIC OFFICIALS' E-DECLARATIONS

Since 2024, the NACP has further improved its procedures regarding comprehensive verification of declarations. Logical and arithmetic checks have gradually become the standard basis for the risk-based selection of which declarations warrant full checks.

To strengthen this approach, in December 2024 the NACP issued Order No. 424/24, which brought important procedural innovations. The Agency acquired further tools for automated verification. In May 2025, the procedure for forming, maintaining and publishing information in the Unified State Register of Declarations was amended to provide for the automated transfer of information into the declaration form, thus reducing errors and facilitating further checks.

Despite this, some of the NACP's decisions regarding conflict of interest and declaration verification activities have drawn criticism from civil society. In some cases, the Agency found no violations, even though there was an obvious conflict of interest or significant discrepancies in the declarants' financial status. This undermines public trust in the institution and shows that the verification process needs to be improved.

COOPERATION WITH THE NATIONAL ANTI-CORRUPTION BUREAU AND THE SPECIALISED ANTI-CORRUPTION PROSECUTOR'S OFFICE

Over the past year, the NACP has gradually strengthened its role in building evidence for the National Anti-Corruption Bureau (NABU) and the Specialised Anti-Corruption Prosecutor's Office (SAPO). In particular, NACP materials are increasingly being used as grounds for opening criminal proceedings and filing lawsuits, in order to recognise assets as unjustified. At the same time, inconsistency in NACP conclusions – when compared with the results of NABU and SAPO investigations – remains a significant problem.

For example, in a number of cases, the NACP conducted investigations, yet identified no evidence of illegal enrichment or conflict of interest. Later, the NABU investigated the same facts and found proof of corruption offences or grounds for civil forfeiture.

Thus, the investigative bodies' materials became the basis for lawsuits from SAPO to declare the assets as unjustified, despite the NACP's previous conclusions. Hence, positive practice – using the lifestyle monitoring tool in SAPO and NABU activities – is accompanied by negative usage examples, demonstrating a lack of coordination and the absence of a unified approach in assessing the assets and income of officials.

LOBBYING AND TRANSPARENCY REGISTER

The Law of Ukraine, "On Lobbying", adopted by the Verkhovna Rada of Ukraine in 2024, provides for the creation of a Transparency Register, which must include information about all persons providing lobbying services and their clients.

In October 2024, the Cabinet of Ministers approved the Regulations on the Register and the Rules of Ethical Conduct for Lobbyists, developed by the NACP.

In November 2024, the Verkhovna Rada adopted Law No. 4059-IX, which set a new date for the Law on Lobbying to come into force – by September 1, 2025. Registered in June 2025, Draft Law No. 13340-1 provides for a delayed application of sanctions for violations of lobbying legislation (until September 2026).

As of August 2025, the register has not yet become fully operational. The main reasons are the complexity of technical implementation and the need for additional funding, although the regulatory framework itself is largely in place. Due to a long pause and termination of state funding, the NACP had to seek out international technical assistance to continue the work.

Currently, the specialised software has been partially developed, and work is underway to test the functionality of the future registry. The NACP is actively engaging potential lobbyists in consultations, and is considering their suggestions for improving the registration and reporting processes.

STATE ANTI-CORRUPTION PROGRAMME

In August 2025, the NACP, which is responsible for implementing a large part of the State Anti-Corruption Programme measures, reported that it had completed 122 of its 270 tasks. This is moderate progress: almost half of the measures have been fully or partially completed, yet 41 measures are overdue and still pending.

Digitalisation and the launch of several key tools are among the NACP's successes. These include a single portal for whistleblowers, expanded international cooperation (access to Europol's SIENA platform), and the launch of new e-services for businesses and citizens.

As part of implementing the current programme, the NACP has also prepared a draft law to prevent the abuse of procedural rights in criminal proceedings. The idea is to eliminate excessive opportunities to artificially delay court proceedings and those that facilitate avoiding responsibility through procedural manipulations.

At the same time, a large number of outstanding or delayed measures show that the NACP still presents some coordination and planning issues. Therefore, while drafting the new

programme, it is important to ensure stricter monitoring, clearer planning (including feasible deadlines), and regular public reporting on implementation progress. The NACP has already started working on a new State Anti-Corruption Programme for the next period.

• THE CRIMINAL PROCEDURE CODE AND LEGISLATION ON CRIMINAL LIABILITY

PLEA BARGAINING AGREEMENTS

Law No. 4033-IX improved plea bargaining agreements in Ukrainian criminal procedure. The former introduced changes to make plea bargaining a more effective tool in the fight against corruption, as well as to meet EU requirements.

Imposing an additional penalty (fine), even if not explicitly provided for by the Criminal Code, is one major novelty brought forward by the Law. This may happen only upon the parties' consent under a plea bargaining agreement, allowing for a more flexible response to corruption offences. The maximum fine as an additional measure of punishment was increased for serious corruption offences – up to UAH 120 million, and for particularly serious crimes, up to UAH 204 million. Resultingly, financial penalties should become a real way to compensate for damage done to the state's interests.

An option of confiscating the accused's property was also added, provided the parties agreed to it beforehand under the plea agreement – this constitutes yet another step to ensure plea bargaining cannot become a method to either avoid responsibility or to keep illegally acquired property.

The law also provides for the imposition of a lighter penalty than that specified in the article, provided that it is not lower than the minimum limits set forth in Article 63 of the Criminal Code. This innovation is aimed at encouraging defendants to cooperate with the investigation, and at quickly establishing the circumstances of the case.

The law also allows for probation in cases where the severity of the penalty does not exceed eight years of imprisonment, provided that the damage is fully compensated for, and provided that the accomplices are exposed. However, a reduced sentence and probation cannot both be applied simultaneously. Overall, the changes adopted by Law No. 4033-IX are an important step towards improving the efficiency of investigations and court proceedings in corruption cases. They allow for faster proceedings, thereby saving resources for investigative bodies while also ensuring compensation for damages and potentially exposing larger-scale corruption schemes.

In November 2024, the Verkhovna Rada unexpectedly passed a draft law that seemingly accidentally abolished the provision on property confiscation in plea bargaining in corruption cases. However, after a wave of criticism and public pressure, this provision was quickly reinstated.

Since October 29, when the Law No. 4033-IX was adopted, the SAPO prosecutors concluded 60 plea agreements, recovering UAH 630 million of compensation for losses incurred by the state as a result of the criminal offences.

60 → **UAH 630 M**

plea agreements — of compensation

Despite its positive potential, plea bargaining requires careful monitoring. These agreements may be exploited by malicious actors to avoid stricter liability, or 'fake disclosures' may arise, where suspects provide low-quality or fabricated information about other individuals. Therefore, both the state and civil society should closely monitor how this mechanism is used to ensure it genuinely functions to guarantee justice.

ABUSE OF PROCEDURAL RIGHTS

In November 2024, the NACP presented the Draft Law, "On Amendments to the Criminal Procedure Code of Ukraine Regarding the Optimisation of the Procedure for Certain Procedural Actions" to eliminate loopholes that allow for procedural abuse and delays in investigations.

PROPOSALS INCLUDE:

- **The granting** of additional powers to operational units in criminal proceedings;
- **Removing restrictions** on monitoring bank accounts (Article 269-1 of the Code of Criminal Procedure);
- **Temporary access** to items and documents that do not contain secrets, without judicial control;
- **A clear definition** of the timelines for announcing an international search;
- **Cancellation of the institute** of witnesses during searches, provided video recording is available;
- **Improving the procedure** for serving procedural documents;
- **Simplifying the initiation** of proceedings against Members of Parliament by the head of the SAPO.

However, this Draft Law remains unfinalised and ought to be revised based on both stakeholder feedback and public discussions.

Another issue is the repeal of the so-called Lozovyi amendments, which introduced a mandatory closure of cases due to the expiry of pre-trial investigation terms. Despite Ukraine's commitments to the EU and the IMF – to fully eliminate these provisions by the end of 2024 – the Parliament made several attempts to adopt partial amendments (via Draft Law No. 11265 in November 2024 and Draft Law No. 10242 in December 2024). These partial amendments do not resolve the problem; risks of large-scale closure of cases remain.

ANDRIY LOZOVYI

SERHIY IONYSHAS

In January 2025, several alternative draft laws appeared, including No. 12367-3, which received official support from NABU and SAPO. **Draft law No. 12367-3 provided for cancellations of the automatic closure of proceedings, as well as granting a right to extend pre-trial investigation terms to the Head of the SAPO without court approval. This draft was recognised as the only effective tool for restoring the effectiveness of investigations.** During the Council of Europe's May 2025 roundtable, it was emphasised that the closure of criminal proceedings on the sole ground of time limits is not in line with the principles of fair justice.

According to the Head of the SAPO, more than 70 ongoing proceedings may close due to the expiry of time limits, with total losses in these cases estimated at UAH 50 billion. Only the complete repeal of the Lozovyi amendments – i.e., repealing paragraph 10 of part 1 of Article 284 as well as amendments to Article 294 of the Criminal Procedure Code – can restore the effectiveness of criminal prosecution.

70
ongoing proceedings

→

UAH 50 BN
cases estimated

RISK OF INTRODUCING A TEMPORARY SEIZURE OF PROPERTY

Draft Law No. 12439 was presented as a tool to protect businesses from arbitrary seizures. It contains several useful elements: expanding victims' rights, providing more procedural guarantees, allowing for appeals against certain decisions, and setting deadlines for the return of temporarily seized property. These can be seen as steps towards greater transparency and balance in the process.

However, this Draft Law also contains risks that can impede fair investigations. Firstly, it grants defence lawyers the right to examine materials before an investigation is complete, which can hamper key procedural actions. The prosecutor's obligation to be present at hearings on searches and covert actions is similarly problematic. With the system already overloaded, this will become a way to declare evidence inadmissible.

The most harmful provision is the two-month limit on property seizure, after which the latter must be renewed in court each time. The logic behind the current legislation is that seizure is imposed on property that can either be material evidence in a case, or property is subject to confiscation as a means of securing a future sentence and compensation for damages. Imposing an obligation to prove in court, every two months, that the evidence or property has not ceased to be evidence or to be subject to possible confiscation is not only illogical, but also creates additional opportunities for abuse and manipulation.

The cases of Bohuslaiev, Lazarenko, Dubnevych, and the Hrynkevychs represent just a few public examples of instances in which the lifting of asset seizure became the means for corrupt agreements. In cases involving hundreds of companies related to the oligarch Kolomoiskyi, even a one-day 'pause' can result in the loss of assets.


Ihor Kolomoyskyi

The impact of this provision on the seizure of international assets is particularly dangerous. NABU and SAPO cases have repeatedly been accompanied by seizures across Europe. In such cases, arrest in a domestic jurisdiction is a prerequisite for asset seizure in a foreign one. If a Ukrainian court fails to extend the seizure by even a day, the seizure abroad automatically becomes invalid.

A separate challenge can be found in the workload of the courts, which will be forced to consider thousands of motions every two months. Their work will not only be paralysed, but new opportunities for corruption will also open up. The problem with illegal seizures is not in their indefinite nature, but rather the abuses committed by individual judges and law enforcement officials. In this context, the initiative appears to be aimed more at the interests of big players than at protecting small businesses, in a fashion similar to the 'Lozovyi amendments'. It is easier to 'fail to consider' a motion than to cancel an arrest with proper justification.

STATUTE OF LIMITATIONS

The statute of limitations remains one of the main challenges to the effectiveness of anti-corruption justice. The High Anti-Corruption Court has already closed dozens of cases, and found defendants guilty yet released them from liability, due to the statute of limitations. In the last few years, more than 50 individuals avoided punishment in such a way. In the next two years, the statute of limitations will expire in at least 26 cases involving 39 defendants. Consequently, a significant portion of proceedings will conclude not with a verdict, but rather with a procedural decision, undermining the principle of inevitability of punishment.

Since high-level corruption cases are complex and usually involve a large number of people, with potentially dozens of defendants and lawyers, any failure to appear or formal motion can lead to the postponement of hearings. Furthermore, these proceedings can be prolonged for years, including for the following objective reasons:

01 The Defence systematically files numerous recusals and complaints to deliberately delay the legal process;

02 The need to examine potentially hundreds of volumes of materials;

03 The questioning of a large number of witnesses.

As a result, instead of an outcome of delivered verdicts, defendants may avoid responsibility solely due to the expiry of the statute of limitations.

The example of the so-called DACK tapes case is illustrative: it concerns about twenty individuals whose defence involves (1) repeatedly failing to appear in court and (2) constantly filing motions of dubious quality. As a result, the preparatory hearing alone lasted almost two years.

The problem is systemic and needs to be addressed at the legislative level. The current statute of limitations does not reflect the realities of investigating complex corruption crimes, and the lack of mechanisms to suspend or interrupt them effectively makes the High Anti-Corruption Court hostage to procedural norms. This contradicts international standards and recommendations from Ukraine's partners. At the same time, the problem cannot be solved solely by technical changes to the procedural code – it is also necessary to increase the penalties for a number of the most dangerous corruption offences. This will change their category of severity and, accordingly, extend the statute of limitations for criminal prosecution. In addition, the mechanisms for calculating time limits should be improved. Introducing clear grounds for their suspension and interruption should prevent abuses of delaying tactics, ensuring the inevitability of punishment.

ENLISTMENT IN THE MILITARY AS AN OPPORTUNITY FOR PROCEDURAL ABUSE

Enlistment of suspects or defendants in corruption crimes has become a way to avoid liability. According to Article 335 of the Criminal Procedure Code, the court is obliged to suspend proceedings for the duration of military service, but the statute of limitations (Article 49 of the Criminal Code) is not suspended. This allows defendants to avoid liability for corruption crimes by enlisting in the military.

There are cases where such recruitment occurred following completion of the investigation, thus blocking hearings while deadlines continued to approach. Among others, the case of former State Fiscal Service head Roman Nasirov, who was mobilised to the rear unit, serves as an illustrative example - as do the cases or of the judges Serhiy Lazuk, Mykola Shpak, Ruslan Zhurylo, Ihor Kalinichenko, etc. The number of such cases increased in 2025, with at least 54 defendants in high-profile corruption cases abusing enlistment to the military to halt proceedings.


Roman Nasirov

Draft Law No. 13271-1, adopted in June 2025, established that proceedings against persons accused of serious corruption offences may be suspended only if there is evidence that such persons cannot attend court hearings because of combat duties. In addition, a provision prohibiting the mobilisation or contract service of persons accused of serious corruption was added to the Law of Ukraine, "On Military Duty and Military Service" to prevent the usage of military service in avoiding responsibility and blocking court proceedings.

However, room for conflicting interpretations and appeals remains, given that the changes were made not to Article 335 of the Criminal Procedure Code itself, but rather in the final provisions. Additionally, the key issue of suspending the statute of limitations remains unaddressed. Thus, even given these new legal amendments, avoiding liability in high-level corruption cases remains possible.

THRESHOLDS OF LIABILITY FOR CORRUPTION OFFENCES

Law No. 4496-IX raises the thresholds of liability; however, this results in a contradictory effect. The changes affect not only criminal and administrative law but also civil asset forfeiture, for example. This means that instead of 'tightening' in a number of cases, possibilities for financial control have been narrowed down.

The changes affected administrative liability for inaccurate declarations. From now on, discrepancies between the actual value of assets and what was indicated in the declaration must be between 150 and 750 subsistence minimums (≈ 454,200 – 2,271,000 UAH), whereas previously, this range was from 100 to 500 subsistence minimums (≈ 302,800 – 1,514,000 UAH). The same applies to the criminal law, with a liability threshold rising from 500 to 750 subsistence minimums (≈ 2.27 million UAH), whereas for illegal enrichment, the threshold has even been slightly reduced to 3,000 minimums (≈ 9.08 million UAH, instead of the previous 9.84 million).

DANGEROUS INITIATIVES REGARDING AMNESTY FOR CORRUPTION CRIMES AND PRESSURE ON INVESTIGATIVE MEDIA

Several draft laws registered in the Parliament pose significant risks to the criminal justice system and threaten to roll back anti-corruption reforms. Two of them aim to effectively exempt individuals from criminal liability for crimes related to defence procurement. For instance, Draft Law No. 13423 proposes to exclude criminal liability for any crimes committed

during the execution of defence contracts by enterprises included in the special list of the Ministry of Defence. A distinctive feature of such legislative initiatives is that they are usually retroactive and cover all acts committed since the beginning of martial law.

Another Draft Law, No. 12439, proposes a new Article 41-1 of the Criminal Code, which turns regulatory authorities' explanations into 'criminal indulgences' for dubious transactions. This provision creates a revolutionary change in the approach to liability for economic crimes: now, explanations from authorised bodies are not just proof of good faith in court, but an automatic alibi that blocks the very opening of criminal proceedings. Such explanations can be obtained on tax, customs legislation and public procurement. **This draft law will have dramatic consequences for investigations and, in particular, will significantly undermine the work of NABU and SAPO and the Economic Security Bureau undergoing reform now**, as most of the cases handled by these bodies concern tax and customs violations and questionable public procurement.

Another separate category comprises draft laws aimed at restricting the activities of investigative journalists and whistleblowers. In particular, Draft Law No. 10242 attempts to classify the disclosure of information from registries as a serious crime, giving law enforcement agencies the power to wiretap journalists – allegedly, to prevent information leaks. Draft Law No. 11533, adopted in August 2025, provides for restrictions on access to state real estate registers by removing data on property addresses, which will make it impossible for journalists to investigate the assets of officials. Finally, Draft Law No. 12320 proposes to punish journalists for publishing any mention of lawyers alongside their clients, which in practice criminalises standard investigative activities. Unfortunately, despite public outcry, the latter two were adopted by Parliament. They have not yet been signed by the President.

Together, these legislative initiatives pose a double risk: they ensure impunity for corrupt officials and businesspeople in the field of defence procurement while, at the same time, creating mechanisms to exert pressure on the journalists and civil society activists who can expose such corruption.

• NATIONAL ANTI-CORRUPTION BUREAU OF UKRAINE

In June 2025, the Verkhovna Rada adopted Draft Law No. 13271-1, which amended jurisdiction over both economic and corruption crimes. For NABU, their exclusive mandate shifted from covering cases with offences committed from 5,000 subsistence minimums and higher (≈ UAH 15 million), a departure from the previous 2,000 (≈ UAH 6 million) minimums. This reduced the number of mid-range NABU cases, now transferred to the Economic Security Bureau of Ukraine. NABU's exclusive mandate to investigate corruption of top officials, judges, and Members of Parliament remains unchanged. Therefore, NABU should experience a lower workload; the efficiency of mid-level investigations will now however depend on the Economic Security Bureau's ability to act independently.

After internal changes to NABU's structure, each new detective unit became subordinate only to the administrative leadership – i.e., to the NABU director, or to their designated deputy. The system lacks an intermediate institutional link. For example, there is now no Head of the Main Detective Unit – who, before the reform, acted as the head of the pre-trial

investigation body and had procedural powers as defined by Articles 39 and 40 of the Criminal Procedure Code. However, at present, the Director and his deputies are neither detectives nor heads of the pre-trial investigation body under the Criminal Procedure Code, even though they have been allowed to coordinate the work of detectives.

Meanwhile, unlike detectives, the positions of NABU deputy directors remain the only ones at the agency that may be filled without competition. The law also does not limit the term of office of deputy directors. Guarantees of the body's institutional independence are thus considerably weakened, for the director may appoint a management team without open selection and independent control.

One solution could be to give procedural functions of the head of the pre-trial investigation body to one of the deputies, to appoint the individual to this role through a competition, and to limit the terms of their powers.

In May 2025, for the first time in Ukraine's history, the Independent Evaluation Commission completed an audit of NABU's work. This is the first international assessment of Ukraine's law enforcement agency. The evaluation covered NABU’s performance during the period of March 2023 to November 2024, measured against five key criteria:

01 Detection and investigation of high-level corruption;

02 Integrity, accountability, and transparency;

03 Leadership, strategy, and resource management;

04 Interagency cooperation, and;

05 International cooperation.

The audit confirmed the Bureau's efficiency in key areas, despite staff shortages and political pressure. The audit also revealed some serious issues, however, including weak internal control, a lack of independent expertise, information leaks, and an undeveloped disciplinary system.

The audit paid close attention to the presence of flawed internal control, i.e. information safety (leaks, misuse of messengers, etc.). For instance, the Bureau lacks a single person who would be in charge. The deputy head of the Internal Control Department is supposed to be responsible, but the auditors found a lack of control and of real measures taken.

Lack of independent expertise is yet another issue. Estimating the amount of financial damage is a prerequisite for investigating most corruption crimes. At the same time, the law only allows expert institutions to be set up under executive bodies and law enforcement agencies, such as the Ministry of Justice, the Ministry of Internal Affairs, the Security Service of Ukraine, and so forth. NABU is thus obliged to approach institutions that are subordinate to other agencies, making the process dependent on the latter’s workload and influence.

Due to the workload of experts, the provision of forensic expertise in NABU cases often takes a year or more. Forensic experts face pressure, intimidation, and obstruction from influential suspects. Thanks to their access to expert institutions, suspects learn about the progress of proceedings in advance, even tracking the moment of their arrest or the delivery of a suspicion notice, given that forensic expertise is frequently the last major step before these actions occur. These all contribute to creating the conditions for disrupting investigative measures.

The Audit highlighted the lack of guaranteed independent expertise as one of the biggest challenges. Formally, expert assessments take place, but there is a practice of 'stop lists' – cases whose results are delayed for years, or even blocked altogether. In addition, the fact that an expert examination took place may be leaked to interested parties, particularly through the Kyiv Research Institute of Forensic Expertise: until recently led by the notorious Oleksandr Ruvin (now at the State Bureau of Investigation). Without an independent expert body, anti-corruption institutions will remain vulnerable to disruptions and leaks.

Auditors also described the situation with the court register as critical. The latter stores all closed rulings, including those of the High Anti-Corruption Court. Access to such data, as evidenced by the Borzykh case, creates conditions for leaks of information about planned investigative actions. Leaks have often benefited high-ranking officials, such as former Minister Solskyi. This forms another area requiring urgent legislative regulation.

Similarly, the NABU's right to independent wiretapping remains virtually unimplemented. Although granted by law No. 1810-IX of 19 October 2021, in practice, no steps have been taken to amend the required bylaws nor to provide the necessary technical access, blocked by the Security Service of Ukraine. The lack of independent access to wiretapping significantly limits NABU's ability to investigate high-level corruption.

Alongside this, the auditors raised the issue of the so-called Lozovyi amendments, which for years have threatened criminal proceedings. However, there were also comments on current legislative initiatives. In particular, the auditors directly recommended Parliament to refrain from adopting amendments that provide for a mandatory review of property seizure orders every two months. The report states that such an innovation would lead to a collapse in the area of seizures and asset recovery. This refers primarily to Draft Law No. 12439, which has already been criticised by both the NABU and the HACC.

POLITICAL ATTACK ON THE INDEPENDENCE OF NABU/SAPO

In the summer of 2025, an unprecedented attack on the institutional independence of NABU and SAPO took place. The text of Draft Law No. 12414 at first concerned investigating missing persons during the war; however, between the first and second readings, the draft law text received a series of amendments that radically changed the rules for anti-corruption investigations.

On July 22, the amended Draft Law quickly passed the committee: the second reading (263 votes in favour) was signed by the President and came into force the very next day as Law No. 4555-IX. This move sparked protests from experts, from the public, and from international partners.

The newly introduced norms dismantled the guarantees of independence of NABU and SAPO. The Prosecutor General received the right to request materials from any proceedings, to transfer cases from NABU to other authorities, and to resolve disputes over jurisdiction (Articles 36, 216 of the Criminal Procedure Code). The SAPO effectively lost control over procedural decisions: appointing prosecutors and key activities were reduced to instructions from the Prosecutor General (Articles 37 of the CPC, Articles 8-1 of the Law, "On the Prosecutor's Office"). The latter also gained the exclusive right to notify top officials of suspicion, and the exclusive right to close such cases (Articles 481 and 284 of the CPC). NABU was deprived of the possibility to conduct urgent searches in its own cases (Article 233 of the CPC).

Thus, altogether, these changes resulted in a dramatic strengthening of the role of the Prosecutor General, as well as a comprehensive loss of institutional and procedural independence for NABU and SAPO. The anti-corruption infrastructure became integrated into the general prosecutorial hierarchy, losing its ability to function autonomously.

Moreover, the context in which the law was adopted only reinforced public impression that it had been planned in advance: on the eve of the vote, law enforcement agencies conducted dozens of searches and investigative actions against NABU employees (some of which

involved procedural violations). The day after the vote, Ukraine saw the first mass protests since the start of the full-scale war, with crowds protesting against the rollback in the independence of anti-corruption bodies.

After a sharp public and international reaction, a 'reversal' was launched. On 31 July 2025, the Verkhovna Rada adopted Presidential Draft Law No. 13533, which removed key risky amendments and restored institutional safeguards (331 votes in favour); the President signed the law on the same day.

At the same time, Draft Law No. 13533 contained transitional provisions regarding polygraph tests for employees of agencies that have access to state secrets (in particular, NABU and SAPO), and also provided for separate checks on whether their employees have ties to the aggressor state. This Draft Law assigns the responsibility for conducting such checks to the Security Service of Ukraine, but the procedure and subject matter of such checks have not yet been regulated. These provisions of the Draft Law require further oversight of how they are to be applied, as without regulation such provisions could potentially become a tool for interfering in legal activities under the guise of security checks.

These events demonstrate that the centralisation of control in the hands of the Prosecutor General was not accidental, but rather a deliberate attempt. While the SAPO's powers were restored at the legislative level on July 31 after a disastrous attempt to destroy them, the pressure on people who investigated high-profile cases at the NABU remains. Despite the reversal forced by pressure from Ukrainian society and international partners, the attacks continue centring on personal persecutions and intimidation of NABU and SAPO staff. Presently, two NABU detectives are still in pre-trial detention, while three others have been charged with traffic accidents that happened a while ago. A striking example is the case of Ruslan Mahamedrasulov, a chief of NABU detectives, detained during the July 21-22 attack along with his father. As of October 2025, the two of them are still being held in a pre-trial detention centre with serious violations of the due process and the right to appeal, which bears signs of a political retaliation against a top corruption investigator.

• OFFICE OF THE PROSECUTOR GENERAL

The position of Prosecutor General remained vacant for more than seven months after Andriy Kostin's dismissal in October 2024. Only in June 2025, the Parliament approved Ruslan Kravchenko as a new Prosecutor General. Immediately after assuming office, Kravchenko repealed the procedures for creating the pool of staff and dissolved the competition commission, effectively ending transparent competitions for administrative positions.

With the new Prosecutor General in office, Parliament quickly passed (and subsequently rolled back) Draft Law No. 12414, which significantly increased the Prosecutor General's control over NABU and SAPO.

At the same time, some irreversible changes to the Law on the Prosecutor's Office remain in place. During martial law, prosecutors may be appointed to the Office of the Prosecutor General, as well as to the regional prosecutors' offices, without competition. Dismissals also remain simplified.

Such amendments may establish a dangerous trend, wherein the Prosecutor General, appointed without competition and subject to political support, effectively gains a monopoly on staffing – including the rights to appoint, dismiss, reorganise and control the staffing of the prosecutor's office. This creates the risk of political dependence of the prosecutor's office and weakens the guarantees of independence of procedural decisions.
At the same time, the SAPO retains its staff autonomy: its structure and staffing are determined exclusively by its Head, which formally limits the influence of the Prosecutor General. However, the concentration of other staffing levers in the hands of the Prosecutor General remains a threat.

In the long term, a new model for appointing the Prosecutor General is necessary, as the current legislation's political mechanism creates a risk of political dependence within this post. The optimal safeguard would be to introduce additional stages before the appointment: namely, a competitive procedure with clearly defined criteria for integrity and professional competence.

CHAPTER 23: FUNDAMENTAL RIGHTS

03 FUNDAMENTAL RIGHTS

- **RESTRICTIONS ON RIGHTS AND FREEDOMS DUE TO MARTIAL LAW**

During the period under consideration, Ukraine has not officially notified the Council of Europe of any new derogations from fundamental human rights and freedoms during martial law, as enshrined by Article 15 of the European Convention on Human Rights (ECHR). All 4 (four) official communications during this period have been just notifications about the general continuation of martial law as prescribed by Ukrainian legislation and by the ECHR.

Concerning the gradual lifting of imposed restrictions, no notable dynamics have been observed (based on the provided research and analysis). There have been no publications of officially adopted acts, nor of their draft versions, concerning the introduction of strategies that ensure the swift restoration of human rights and freedoms following the end of martial law. However, it would be more than fair to state that the current situation on the battlefield, and in the Russian-Ukrainian war in general, does not allow for weakening the restrictions.

Moreover, despite the absence of a core general strategy in this regard, several fundamental documents that cover varying aspects of the restoration of human rights and freedoms were adopted, or at least drafted. Two examples are the "Action Plan on Implementation in 2025-2026 of the National Strategy on Encouraging the Development of Civil Society," as well as the Draft "Strategy of Restoring State Power and Reintegration of Population of the De-occupied Territories of Ukraine".

• INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

On 09 October 2024, the Verkhovna Rada adopted the "Law on Amendments to the Criminal Code of Ukraine and Criminal Procedural Code of Ukraine Related to the Ratification of the Rome Statute of the International Criminal Court". The adopted law introduces renewed definitions for all kinds of international crimes and concordant sanctions, thus harmonising the provisions of Ukrainian criminal laws with the Rome Statute and with EU law. The law also introduces the principle of universal jurisdiction regarding the crimes of aggression, genocide, crimes against humanity and war crimes, ensuring their persecution irrespective of the place of commission; it imposes command responsibility and establishes a full scope of cooperation with the International Criminal Court as for member states.

• ECTHR ISSUES

According to the official statistics of the European Court of Human Rights, Ukraine remains in third place per pending applications against it (7,750, or 12,5% from the total amount), with only Turkey and the Russian Federation ranking higher.

According to official statistics from the Committee of Ministers, the number of active cases against Ukraine has increased in 2025 (as yet ongoing) compared with 2024: 106 leading cases/736 repetitive cases in 2024 vs. 111/800 cases in 2025, respectively.
The 2024 report from the Committee of Ministers notes the following categories of the Convention's violation by Ukraine:

01 functioning of the judicial system (in particular, non- enforcement of domestic courts' decisions, lengthy judicial proceedings without effective remedies and the independence of the public prosecution service);

02 groups concerning the lack of effective investigations into deaths and ill-treatment, and;

03 groups concerning asylum procedures, the irreducibility of life sentences, domestic violence as well as freedom of assembly and freedom of expression.

In light of results from the monitoring period, no actual initiatives or draft amendments to the legislation have been detected that resolve the problems of implementing ECHR decisions.

- PROMOTION AND ENFORCEMENT OF HUMAN RIGHTS

In consideration of the requirement of the 2024 report to strengthen the mandate of the Parliamentary Commissioner on Human Rights, and in order to comply with the EU acquis, the draft of the new Law of Ukraine on the Parliamentary Commissioner on Human Rights was filed to the Verkhovna Rada. As of the end of June 2025, it has been considered by the profile Committee of the Parliament. This Draft Law aims to renew the procedure of appointing the Ombudsman and align the appointment procedure with the Paris principles applied to institutions, thereby ensuring the protection of human rights.

The Draft Law also establishes the compensation of expenses for external experts' involvement in the National Preventive Mechanism (NPM). However, the same Draft Law failed to establish a transparent and competition-based procedure for selecting the Ombudsman, given the representatives of CSOs, and given the possibility of submitting candidates by CSOs or other independent stakeholders. Other draft laws on responsibility for the non-permitting of Ombudsman access (as well as his/her representatives) to the places of detention have also been announced, though none have yet appeared.

With respect to the Strategy on Human Rights and to the Draft "Strategy of Restoring State Power and Reintegration of Population of the De-occupied Territories of Ukraine", no updates (regarding the former) or final adoption (regarding the latter) have been provided during the timeframe.

- EXECUTION OF CRIMINAL SANCTIONS

Since March 2024, amendments to the criminal and criminal procedural legislation of Ukraine – with respect to imposing probation supervision as the alternative punishment for certain types of crimes – have been implemented. In general, analysis of court practice regarding the implementation of decisions on probation supervision shows the positive progress with respect to the social rehabilitation and adaptation of persons to whom such a measure was applied, especially in the cases of minors.

However, certain problems and disadvantages have also been detected: there exists negative perception of probation supervision by the Ukrainian population as avoidance from severe punishment, there is a lack of probation personnel, a lack of criteria for detecting the person as avoiding his/her probation duties, as well as issues concerning criteria for replacing imprisonment with probation. Moreover, the conditions of war do not provide the possibilities to implement probation supervision in the temporarily occupied territories, nor in territories where active military actions take place.

- PREVENTING TORTURE AND CRUEL TREATMENT

The National Preventive Mechanism, aimed at preventing torture and cruel, inhumane or degrading treatment in places of deprivation of liberty under the jurisdiction of Ukraine, has been operating in Ukraine since 2012.

In October 2021, the Cabinet of Ministers approved the Counter-Torture Strategy in the Criminal Justice System, which outlines the development of the national system for combating torture committed by law enforcement officers.

As of writing, the Strategy requires further implementation over the coming years.

Certain amendments regarding the financing of the NPM have been filed within the Draft Law on the Parliamentary Commissioner on Human Rights. In particular, this Draft Law provides for additional guarantees for the activities of NPM members, both in the course of their activities and while obtaining access to the places of detention.

As for the claimed necessity to strengthen cooperation between the Ombudsman and specialised CSOs in the area of torture and ill-treatment prevention, in 2025, the specialised Advisory Council – comprising representatives of key Ukrainian CSOs – was established at the Ombudsman's Office. Although the Office has also presented the Draft Strategy regarding NPM development for 2025-2026, no open information allowing for monitoring its implementation is publicly available.

According to the Annual Report of the Ukrainian Parliament Commissioner for Human Rights on Observance and Protection of Human Rights and Freedoms of Citizens of Ukraine in 2024, systematic violations of human and civil rights and freedoms in places of deprivation of liberty were identified through the NPM's monitoring visits to such areas – in particular, **systemic violations of the rights to:**

- **protection from torture, cruel or degrading treatment or punishment;**
- **an adequate standard of living;**
- **the liberty and security of the person;**
- **health care and medical assistance;**
- **life and safe conditions of detention;**
- **work and protection from exploitation;**
- **the rights of persons with disabilities and persons with reduced mobility, among others.**

In the 2024 specialised report from the Ombudsman, it is noted that only 16% of the recommendations from 2023 were implemented, while 58% were pending and 26% completely unimplemented. The Ukrainian Ombudsman claims that such statistics are typical for authorised bodies, and that annually no more than 20% of all recommendations are implemented. In 2024 and up until May 2025, more than 70 submissions of human rights violations were reported to be filed – concerning, inter alia, prohibitions of torture and ill-treatment.

Despite legislative improvements, and despite some progress being made in certain institutions and investigations, torture and ill-treatment remain a pressing issue in Ukraine's penitentiary and pre-trial detention system.

Detention facilities in the temporarily occupied territories of Ukraine are used mainly by the occupying authorities of the Russian Federation for their intended purpose, i.e., they are used to detain persons deprived of their liberty. Torture is carried out in these facilities on a widespread and systematic basis. Although torture and other forms of ill-treatment in these places of deprivation of freedom occur outside Ukraine's jurisdiction, they result in large-scale violations of the Convention against Torture on Ukraine's territory. Currently, there is no effective countermeasure for these violations.

• PROTECTION OF PERSONAL DATA

There has been some progress in aligning Ukrainian legislation on personal data protection with the European acquis. The Draft Law on Personal Data Protection was adopted in November 2024 in the first reading, and is prepared for the second reading. Nevertheless, the ministries and other stakeholders have provided comments to clarify definitions, establish legal certainty and increase the level of harmonisation with the respective EU acts. According to the conclusion of the Council of Europe's international experts, the approaches of the Draft Law are very close to the EU standards. However, as of August 2025, no progress in this regard has been detected.

As for the Draft Law on the National Commission on Personal Data Protection and Access to Public Information, no progress has been made since November 2021, when it was submitted to the profile parliamentary committee for consideration.

• HUMAN RIGHTS VIOLATIONS BY THE RUSSIAN FEDERATION

Since February 2022, there have been numerous human rights violations by the Russian Federation in Ukraine. After the full-scale invasion, the number of these violations has surged markedly. Innumerable crimes against civilians are being committed in the temporarily occupied territories of Ukraine, including illegal detentions, forced imprisonment, torture, and persecution of the pro-Ukrainian population. Massive missile and UAV attacks continue in Ukrainian-controlled territories, with the intensity of these attacks increasing significantly in 2025. According to the UN Human Rights Monitoring Mission, **in June 2025, Ukraine saw the highest number of civilian casualties in the last three years**, with 232 people killed and 1,343 wounded.

232
people killed

1,343
people wounded

As of mid-August 2025, **176,671 war crimes have been registered** in Ukraine. Starting from August 2024, over 24,000 new crimes were reported within a year. However, the vast majority of crimes committed in the temporarily occupied territories are not registered or investigated, as Ukrainian law enforcement agencies do not have access to the crime scenes. Therefore, their actual number is certainly much higher.

There are ongoing massive crimes against Ukrainian prisoners of war and unlawfully detained civilians. These crimes are being committed both on the territory of the Russian Federation and in the temporarily occupied territories. The vast majority of imprisoned civilians and prisoners of war are subjected to severe torture in Russian captivity. Despite the fact that several major prisoner exchanges between Ukraine and Russia took place between May and August 2025 – **resulting in the return of over 1,300 Ukrainian service members and civilians – 2,308 Ukrainian civilians remain illegally detained** in Russia, deprived of their liberty due to the armed conflict.

2,308

Ukrainian civilians remain illegally detained in Russia

Moreover, Russia is conducting quasi-judicial proceedings against Ukrainian prisoners. Under the guise of justice, Ukrainian service members are being persecuted for their participation in the war on Ukraine's side. Prisoners of war are being held criminally responsible for enacting their jobs as combatants, and for participating in an armed conflict as members of the Armed Forces of Ukraine. According to the Media Initiative for Human Rights, as of August 2025, 151 criminal cases involving Ukrainian prisoners of war are being heard in the Russian Federation. This number is incomplete; the real number of such cases is significantly higher. There is no unified register of court decisions in the Russian Federation, which complicates the search for such cases. Cases heard in the so-called 'courts' in the temporarily occupied territories of Ukraine are not made public, although it is well established that these courts also consider criminal cases against Ukrainian prisoners of war.

The Russian Federation also continues to retain deported Ukrainian children on its territory. As of March 2025, estimates place their number at (at least) 19,000, while only 1,243 children have been returned since the beginning of the full-scale invasion.

The Russian Federation's military aggression in Ukraine violates the rights of all Ukrainian citizens, including those who are not directly suffering from shelling and those not in the occupied territories, due to the general deterioration of the economic situation, forced displacement from Ukraine, the crisis in the labour market, etc.

• INTERNALLY DISPLACED PERSONS

According to the International Organisation for Migration, as of April 2025, there were 3,757,000 internally displaced persons (IDPs) in Ukraine, and 4,137,000 returnees. The number of IDPs has increased exponentially since the beginning of Russia's full-scale invasion of Ukraine in February 2022.

Such wide-scale and long-term displacement in times of war creates systemic issues in the labour market and requires both comprehensive social support measures and initiatives aimed at integrating IDPs at their new places of residence. IDPs comprise one of the most vulnerable social groups. Many of them face difficulties in finding employment and securing housing. The issues surrounding IDPs' rights remain unchanged from previous years. Significant budgetary resources are needed to provide IDPs with housing, jobs, and adequate social protection; resources which Ukraine is currently unable to provide.
More than half of IDPs reside in rented accommodations or temporary shelters. They are more dependent on pensions and social benefits as their primary source of income than other population categories. A significant proportion of IDPs consider the monthly payments of UAH 2,000 to 3,000 insufficient.

On April 7, 2023, the Cabinet of Ministers of Ukraine approved the Strategy of State Policy on Internal Displacement until 2025, and adopted the respective operational plan for its implementation in 2023-2025. The Annual Report of the Ukrainian Parliament Commissioner for Human Rights on Observance and Protection of Human Rights and Freedoms of Citizens of Ukraine in 2024 states that the Strategy was being implemented unsatisfactorily.

In particular, by the end of 2024, merely three out of nine regulatory acts foreseen by the Strategy had been adopted. Some of the measures to be implemented under the Strategy lack quantitative and qualitative indicators for assessment. The Strategy's current implementation plan requires revisions.

The Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons" was adopted in 2015. Despite numerous amendments, this law requires further updating, particularly regarding the definition of who qualifies as an IDP, as well as the grounds for losing this status, social guarantees, and other related provisions. As of August 2025, Draft Law No. 12301 on amendments to the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons" and other related laws have been introduced in the Verkhovna Rada, but have not yet been adopted. This Draft Law was introduced to the Verkhovna Rada in December 2024. It defines who qualifies as an IDP, sets precise criteria for refusal or revocation of this status, and provides guarantees for the protection of IDPs' rights and for their non-discrimination.

Despite the fact that most IDPs are successfully integrating into their host communities, the issue of obtaining their own housing remains unresolved, making IDPs more vulnerable. This is particularly true for IDPs from areas that have been completely destroyed, such as Mariupol and Bakhmut.

• MEDIA FREEDOM

In 2024-2025, Russia's full-scale war against Ukraine remained (and remains) the main challenge to the existence of Ukrainian media, as well as to the safety of journalists in Ukraine. Russian airstrikes continue to deliberately target journalists, despite their visible "Press" identification. Ukrainian media editorial offices in frontline regions are also under fire; as a result, due to security concerns, they are forced to either relocate or shut down. Ukrainian journalist Viktoria Roshchyna, who had been held captive by Russia since 2023, died in Russian detention.

Overall, despite the full-scale war, the level of freedom of speech in Ukraine remains moderate. Despite the state-controlled media sector, independent media outlets are still able to publicize reliable information and combat disinformation. Ukrainian citizens enjoy freedom of expression, and there is criticism and investigative journalism in the media.
The key challenges currently include Russia's military aggression and the resulting security challenges, the financial crisis, and the labour shortage caused by mobilisation/relocation. At the same time, the sudden suspension of grant support from the United States for media projects has posed a new challenge. This has placed numerous media outlets in problematic and unstable positions, creating a risk of closure.

Ukraine should develop and implement independent programs to support high-quality, socially significant media. The EU, in turn, should intensify its support for independent Ukrainian media, including the National Public Broadcaster.

PHYSICAL SECURITY

From September 2024 to August 2025, **the Institute of Mass Information (IMI) documented 187 crimes against the media and journalists in Ukraine, of which 116 were committed by Russia** as a result of its full-scale invasion of Ukraine. At the same time, during this period, the IMI documented 71 cases of freedom of speech violations committed by the Ukrainian side.

In 2025, Ukraine dropped from 61st to 62nd place in the World Press Freedom Index – compiled by the international organisation Reporters Without Borders (RSF). The report states that the large-scale invasion launched by Russia on 24 February 2022 threatens the survival of the Ukrainian media, that the safety of journalists is under greater threat than ever before, and that journalists have had to become war reporters. According to the report, journalists are sometimes deliberately targeted by military fire despite displaying their "Press" identification, and the list of reporters injured or killed (and media outlets badly damaged) by airstrikes has continued to rise.

RUSSIA'S CRIMES AGAINST THE MEDIA AND JOURNALISTS

Some of the crimes Russia has committed on Ukrainian territory include:

- murders;
- assassination attempts;
- the shelling of journalists;
- damage to editorial offices;
- forcible closure of Ukrainian broadcasting;
- mining threats against journalists and media outlets;
- cyberattacks;
- legal pressure.

According to IMI, since the beginning of Russia's full-scale invasion 113 media workers have been killed, including 13 who died while performing their journalistic duties and 99 who died either as civilian victims of shelling and torture, or while serving in the Armed Forces of Ukraine.

Ukrainian journalist Viktoria Roshchyna, who went missing in August 2023 in the temporarily occupied territories, died in Russian captivity in September 2024. Viktoria was brutally tortured in Russian captivity: her body had knife wounds, she weighed only 30 kilograms, and Russian prison staff had hidden her from inspections.

Victoria's body was returned in February 2025 during an exchange, labelled as "unidentified male." Later, DNA confirmed her identity; some organs had been removed (the brain, the eyes, part of the trachea), indicating an attempt to conceal war crime evidence.
This is a clear example of the Russian Federation violating the Geneva Conventions on the protection of civilians and journalists. Roshchyna was considered a potential participant in a prisoner exchange; her death symbolises the real danger for all hostages.

Media offices in several regions of Ukraine received identical emails featuring bomb threats. Russian hackers hacked Ukrainian TV channels to broadcast their propaganda, and attacked websites of both national and regional media outlets that covered the war crimes of the Russian Federation.

Elsewhere, Ukrainian media outlets are forced to shut down due to the financial crisis caused by Russia's full-scale aggression, and they continue to suffer from issues related to shelling, evacuation, and mobilisation. According to IMI data collected through its network on the ground, 333 Ukrainian media outlets have been forced to cease operations since the start of Russia's full-scale invasion. Only 16% of them (52 media outlets) have managed to resume their activities. The most common reasons for closing down were the temporary occupation of the territories, financial difficulties caused by the war, and intense hostilities rendering it impossible for journalists to work.

333
media ceased operations

ONLY **52**
resumed activities

JOURNALISTS ILLEGALLY DETAINED BY RUSSIA

As of early August 2025, Russia is illegally detaining at least 26 Ukrainian civilian media professionals. Three civilian journalists, Nariman Celal, Vladyslav Yesypenko, and Dmytro Khyliuk, who were illegally imprisoned by Russia prior to the full-scale invasion, have returned to Ukraine. They reported torture and human rights violations during their period of illegal detention.

However, Russia has not yet returned a single civilian journalist captured after the full-scale invasion. At the same time, as part of an exchange between the countries, four journalists who joined the Armed Forces of Ukraine to defend the country were returned, including Maksym Butkevych, a serviceman, human rights activist, and journalist.

CHALLENGES RELATED TO MEDIA SURVIVAL IN TIMES OF WAR

In spring 2025, Ukrainian media faced a new challenge: the termination of US funding for many projects. According to an IMI survey, **67% of Ukrainian media outlets are in a state of so-called strategic paralysis, abandoning development plans and new projects to focus on pure survival.**

According to the survey in spring 2025, only 14% of the surveyed media outlets are able to survive for more than a year without additional financial support, and almost half (45.3%) can only survive for the next three to six months. In addition, 43% of respondents reported that they had to cut salaries.

At the same time, many media outlets are trying to remain independent by avoiding funding from politicians or from the gambling industry. However, 8% of media outlets have turned to dubious funding sources, including covert advertising and gambling ads, and IMI experts believe this figure will grow. This is media corruption that puts the ethical standards of journalism at risk. Ultimately, here information manipulators win, and both the media market and society lose.

The closure of independent media would seriously undermine Ukrainian democracy, which the former helps to safeguard alongside other media organisations. Government transparency would decline, the risk of monopolisation of the media space by authorities would rise, and public oversight would weaken. Furthermore, reductions in content production and staffing undermine the quality of journalism and public information, increasing the risk of information manipulation and disinformation.

CRIMES AGAINST THE MEDIA AND JOURNALISTS COMMITTED BY UKRAINIAN CITIZENS

In total, between September 2024 and August 2025, the Institute of Mass Information recorded 71 cases of freedom of speech violations committed by Ukrainian citizens. During this period, the main categories of violations for which Ukrainian actors were responsible included:

- obstruction of legitimate journalistic activity and cybercrimes – 15 cases apiece
- indirect pressure – 12 cases (mainly discrediting information campaigns)
- restrictions on access to public information – 11 cases
- legal pressure – 7 cases (including court rulings in favour of the plaintiff Andrii Portnov)
- beatings, assault – 6 cases
- threats – 5 cases

Overall, in 2024, IMI recorded an increase in violations to journalists' rights – detailing 113 crimes that were committed by Ukrainian citizens and authorities (compared to 83 in 2023). These violations predominantly included cyberattacks, obstructions of legitimate journalistic activities, indirect pressure, and restrictions on access to public information. Private individuals, local authorities, law enforcement agencies, central and executive authorities, and the judiciary were responsible.

The growing tendency of media workers' rights violations by Ukrainian citizens during the full-scale invasion indicates an increase in the number of crimes committed against journalists. For comparison, 97 such violations by Ukrainian actors were recorded in 2022; this is, however, fewer than in the pre-war period, as IMI documented 197 such breaches in 2021.

Despite these challenges, freedom of speech in Ukraine remains moderate. The media operate independently, citizens can express their opinions, and investigative journalism and criticism of the authorities take place even in wartime. However, systemic support for independent media – including the National Public Broadcasting Company (Suspilne) – is essential to ensure long-term media pluralism and sustainability.

Meanwhile, the investigation of crimes committed against journalists by Ukrainian actors remains inadequate. In 2024, law enforcement authorities registered 85 criminal cases concerning offences against media representatives. Only 6 cases were investigated and referred to court with indictments (7 criminal cases submitted to court in 2023, and 4 in 2022). In the first three months of 2025, law enforcement authorities registered 11 criminal cases concerning crimes against media representatives. None of them were referred to court, while two proceedings were closed and no decision was made in nine cases.

This indicates systemic impunity, which breeds confidence that violators can act without consequences. It is a systemic flaw that undermines independent journalism, freedom of speech, and the quality of democracy.

THE ROLE OF ANONYMOUS TELEGRAM CHANNELS IN MEDIA SECTOR

Telegram channels have become the key source of information for Ukrainians, well ahead of YouTube, Facebook, or the Telemarathon. Yet, the role of Telegram channels, especially the anonymous ones, in providing objective information remains dubious. For example, in July 2025, a pool of anonymous Telegram channels simultaneously launched a broad, coordinated information campaign in support of Law No. 12414, which had effectively deprived the NABU and the SAPO of their independence. The campaign continued in the following days and was confirmed by harmonised wording, repeated narratives and the appearance of the same 'experts' in numerous posts. Telegram channels justified the law and discredited the protests — allegedly organised by the Kremlin — and NABU, accusing them of ties to Russia's FSB, corruption, and inefficiency.

NATIONAL COUNCIL OF UKRAINE ON TELEVISION AND RADIO BROADCASTING

In 2024-2025, the National Council of Ukraine on Television and Radio Broadcasting (hereafter the National Council for this section) actively continued regulating and supporting the media landscape in Ukraine. In 2024, despite severe budgetary and staffing constraints, the National Council issued several decisions that significantly impacted media freedom and independence.

One of the National Council's key priorities was to ensure continuous broadcasting in the frontline regions and in liberated territories. This support was crucial for maintaining Ukraine's information presence in areas vulnerable to Russian propaganda, strengthening media pluralism and access to reliable information in wartime.

At the same time, there are still some considerable issues. Even though the National Council's regulatory powers have been expanded significantly by the new law "On Media" – covering TV, radio, online media, and even electronic communications providers – the regulator's staff and financial resources have grown little. Its budget covers only staff salaries and basic operational needs (a so-called "survival budget"), with no resources allocated for research, strategic forecasting, or development. Thus, while the National Council has managed to perform its basic regulatory functions, there is limited capacity for more proactive efforts to ensure compliance with legislation and the development of the sector.

NATIONAL PUBLIC BROADCASTING COMPANY

In 2024–2025, the National Public Broadcasting Company (Suspilne) remains a key media institution that upholds independence and trust, even amidst war and economic pressure. However, constant underfunding remains an issue that limits the broadcaster's ability to fully exercise its mandate.

The public broadcaster remains only partially funded, despite increased state support in 2025: the broadcaster received a 17% rise in funding compared to 2024, receiving UAH 2.175 billion (compared to 2024's UAH 1.85 billion). However, this sum is still below the required level of 0.2% of the total budget for the previous year. In 2025, this would amount to approximately UAH 6-6.5 billion – i.e., current funding totals only about one-third of the required amount.

The management of Ukraine's National Public Broadcasting Company has stated that the funds allocated in 2025 will allow the company to maintain its basic infrastructure and slightly adjust salaries to market levels (regional salaries have been devalued by 40–80%). At the same time, there is a risk of losing personnel, especially at the regional level. Some programs, including investigative journalism, documentary filmmaking, and educational formats, are surviving thanks to grants and international support.

In April 2025, democratic elections were held for the Chair of the Board of the Public Broadcasting Company (Suspilne). The procedure was open and competitive. Four candidates participated in the competition, including the incumbent chair, Mykola Chernotytskyi (10 votes) and former Minister of Culture Oleksandr Tkachenko (6 votes).
Chernotytskyi won in the final vote and signed a four-year contract. This is his second term, as his first election was in 2021. The election proved confidence in Chernotytskyi's policies, particularly with respect to digital transformation and decentralisation. The Supervisory Board remained independent, and the election confirmed this.
Insufficient funding threatens the stability of broadcasting, especially without international grants and donor support. Low salaries make it difficult to retain staff and attract new employees, particularly in those regions with the lowest salaries. In 2025, Suspilne announced plans to optimize some branches and update its human resources strategy.
Some politicians try to shape editorial policy through public criticism or attempts to change the law. Therefore, in this context, the broadcaster needs to maintain editorial and institutional independence.

UKRAINE'S MEDIA LEGISLATION

On January 14, 2025, the Verkhovna Rada supported the Draft Law No. 11321 "On Amendments to Certain Laws of Ukraine Regarding Strengthening Certain Guarantees for the Activities of Media and Journalists and Ensuring the Right of Citizens to Access Information."

Among other things, this Law provides for:

01 the broadcasting of the Verkhovna Rada committee meetings;

02 the possibility of access, including online access, to the meetings of the Verkhovna Rada committees for journalists and civil society representatives;

03 advance public notification (24 hours prior) of the time of the meeting and the issues to be considered by the committee, published on the committee's websites.

On January 20, this Draft Law was forwarded to President Volodymyr Zelenskyy for signature. On March 20, several Ukrainian civil society organisations urged President Zelenskyy to sign Law No. 11321; however, as of October 2025, it has not been signed, demonstrating the authorities' unwillingness to ensure the transparency of parliamentary activities.

Previously, in December 2024, several civil society organisations and journalists called on the Verkhovna Rada to open parliamentary committee meetings to journalists and to the public. According to IMI analysts, Parliament should be open, as there are currently no security risks that could prevent the increased transparency of Verkhovna Rada committee meetings. On July 28 2025, several civil society organisations and media outlets once again called on Parliament to resume livestreams of parliamentary sessions on the Rada TV channel and to publish the agendas of these sessions in advance. In particular, they requested that livestreaming be resumed with immediate effect, starting with the next session, which will consider a draft law on restoring the independence of the National Anti-Corruption Bureau and the Specialised Anti-Corruption Prosecutor's Office.

The transparency of parliamentary work is fundamental to anti-corruption reform, international trust in Ukraine, and European integration.
The Draft Law No. 12111 on amendments to the Law "On Media" was adopted in the first reading by the Verkhovna Rada on October 10, 2024. Before the second reading, the draft law was significantly improved (with a comparative table of over 150 pages), and significant work was carried out by the Verkhovna Rada Committee on Humanitarian and Information Policy and media NGOs.

The draft law is ready for the second reading, but it has not yet been put to a vote. The government is delaying due to a lack of momentum, or perhaps uncertainty regarding broader EU integration timelines. In this regard, a clear EU position supporting this Draft Law is needed to accelerate the process.

The draft law is essential because it:

01 strengthens the independence of the National Council on Television and Radio Broadcasting from political influence (it establishes internationally recognised guarantees of the regulator's independence, particularly in the areas of rule-making and financing, in line with EU requirements);

02 improves procedures for registering, licensing, and regulating content, particularly during wartime;

03 increases transparency of media ownership and state media support based on clear criteria.

On 11 March 2025, Draft Law No. 12253 on amendments to the Law of Ukraine "On Advertising" was adopted as a basis, subject to further revision of its provisions. The project aims to regulate legal relations in advertising, taking into account law enforcement practices and market changes caused by the rapid growth of the digital advertising sector, as well as the development of digital technologies – in particular, artificial intelligence. The document aims to further align Ukrainian legislation with the provisions of the EU Audiovisual Media Services Directive (AVMSD), particularly regarding the regulation of audiovisual commercial communication. It will establish more explicit rules on advertising standards, protect minors from harmful content, and promote transparency in sponsorship and product placement practices.

• PROTECTION OF NATIONAL MINORITIES

In 2025, Ukraine continued work on updating its legal framework in the field of minority rights protection. Amendments to the Law On the Lease of State and Municipal Property were introduced to facilitate access of minority associations to premises for cultural and community purposes. The State Service of Ukraine for Ethnopolitics and Freedom of Conscience initiated amendments to the Law On Preventing and Combating Antisemitism, providing for the establishment of a special coordinator position. Draft Law No. 5488, which envisaged amendments to Article 161 of the Criminal Code of Ukraine by introducing "intolerance" as a motive for criminal offences and administrative liability for discrimination, was removed from the parliamentary agenda following the resignation of the government on 17 July 2025. New draft laws in this area are expected to be developed in line with European standards from the outset.

The Public Council under the State Service for Ethnopolitics and the Council of National Minority Associations were active in submitting proposals on financing, access to property, and the expansion of grant support for minority organisations. The Government presented the Action Plan on the Protection of Minority Rights, elaborated in close cooperation with civil society and international partners, which was among the conditions set by the EU for the opening of negotiations under Cluster 1. In parallel, work progressed on the Strategy for the Preservation and Development of Endangered Languages. A list of nine endangered languages has been approved (excluding Crimean Tatar, for which a separate strategy is already in place), a dedicated working group was established, and consultations with experts and minority representatives have been launched.

Ukraine and Hungary held consultations in Budapest aimed at strengthening bilateral dialogue on the protection of minority rights in the context of European integration. The State Service of Ukraine for Ethnopolitics and Freedom of Conscience also prepared and submitted to the Council of Europe the Sixth Periodic Report on the Implementation of the Framework Convention for the Protection of National Minorities, covering the period from 2021 to 2024.

Implementation of the Roma Strategy continued. Persistent challenges remain in Roma communities' access to public services. In August 2025, a draft Action Plan for 2026–2028 was published for public consultation, setting out the next stage of integration policy following the 2024–2025 Plan.

• FREEDOM OF RELIGION AND RELIGIOUS MINORITIES

In August 2025, the State Service of Ukraine for Ethnopolitics and Freedom of Conscience adopted a decision recognising the Kyiv Metropolis of the Ukrainian Orthodox Church as affiliated with the Russian Orthodox Church, whose activities are prohibited in Ukraine. The decision followed an official investigation in line with the Law On the Protection of the Constitutional Order in the Activities of Religious Organisations. At the same time, Ukraine advanced the implementation of mechanisms aimed at preventing hate speech and intolerance-motivated crimes, including through specialised training for law enforcement authorities.

CHAPTER 24: JUSTICE,FREEDOM, AND SECURITY

04 JUSTICE,FREEDOM, AND SECURITY

- NATIONAL POLICE OF UKRAINE

Structural problems and corruption within the National Police of Ukraine (NPU) have been acknowledged both domestically and at the level of the European Union. In particular, the European Commission's 2023 report noted that the NPU continues to suffer from corruption, outdated equipment, and limited institutional capacity.

According to the 2024 Ombudsman's Report, the NPU was found to have committed systemic human rights violations. These included:

01 non-compliance with international and national standards for detention conditions in temporary holding facilities;

02 violations of procedural rights in criminal proceedings (e.g., ignoring crime reports, including those involving children, as well as failure to return confiscated personal property);

03 inadequate response to domestic violence;

04 other serious concerns.

Given that these failures are systemic, their root cause lies in ineffective leadership – which, due to the non-transparent nature of leadership appointment, is also politically contingent. In light of this, the 2024 shadow report explicitly stated that the first step toward genuine reform of the NPU must be the selection of its leadership through a competitive process, including decisive involvement from international experts.

The European Commission's 2024 report also directly pointed to the need, in 2025, to introduce transparent and merit-based procedures for the selection and appointment of senior officials in both the central office and regional divisions of the NPU, again with the substantial involvement of independent experts.

Despite clear demands from civil society and from the European Union, none of these recommendations have been implemented, and the institutional problems of the NPU remain unresolved in 2025.

UKRAINIAN GOVERNMENT NEGLECTS EU REQUIREMENT FOR TRANSPARENT APPOINTMENTS AT THE NPU

Even before transparent and merit-based procedures for appointing senior officials in the central and regional offices of the National Police of Ukraine became part of the EU's requirements for 2025, their implementation had already been envisaged in the 2023–2025 State Anti-Corruption Program. This process, however, was systematically sabotaged by the Ministry of Internal Affairs (MIA) and the NPU.

In July 2024, the MIA and NPU drafted the bill No. 12159 with pseudo-competitive procedures: the MIA would gain broad discretion to decide which positions are subject to selection and define integrity criteria, without the presence of clear step-by-step procedures or rules on competition commissions. The National Agency for Prevention of Corruption confirmed these risks; yet the Government refused to make changes, and registered the draft in Parliament in October.

In response, 25 civil society organizations issued a joint statement urging lawmakers not to support the draft law until it provides for:

- a transparent competitive procedure for appointing NPU leadership;
- a transparent competitive procedure for appointing heads of regional police departments;
- integrity checks for all candidates.

The authorities nevertheless ignored the call of civil society and included Draft Law No. 12159, both in the parliamentary agenda and in the government's Rule of Law Roadmap. The roadmap **provides for** a law on competitive selection of NPU leadership by the end of 2025, but with no real guarantees of independent expert involvement.

In July 2025, Ukraine's Cabinet of Ministers was reshuffled, and all unadopted government draft laws, including No. 12159, were withdrawn.
However, the government subsequently submitted draft law No. 13716, which largely reproduces the provisions of No. 12159 and remains non-compliant with EU requirements and the State Anti-Corruption Programme.

The government's actions indicate an unwillingness to implement transparent competitive procedures like those of SAPO, NABU, NACP, and ESBU – instead maintaining politically controlled appointments to NPU leadership under the MIA.

INSTITUTIONAL WEAKNESSES OF THE NATIONAL POLICE OF UKRAINE

However, beyond the failure to implement the State Anti-Corruption Program and the European Commission's recommendations and requirements regarding transparent and open competitions for senior positions in the National Police of Ukraine, the institution continues to face a range of other unresolved institutional issues.

NON-TRANSPARENT APPOINTMENTS TO LEADERSHIP POSITIONS AND IMITATION OF COMPETITIVE SELECTION EFFORTS

This issue prompted public demand for the introduction of transparent, competitive procedures for the appointment of leadership within the National Police of Ukraine, as the institution inherited a legacy of political dependence from the former militia system.
Appointments to leadership positions in the NPU are non-transparent. A similar lack of transparency is replicated at the regional level. In 2023, 12 heads of regional police departments were replaced, with another 7 replaced in 2024. These key personnel decisions are typically announced in a single news line, without any explanation of their content or rationale.

LACK OF DISCIPLINARY PROCEEDINGS AGAINST UNETHICAL LEADERSHIP

In 2023, 33,319 police officers (or 33% of the total personnel) were subjected to disciplinary action. In 2024, the number rose to 40,588 officers, or 40% of the total staff. These figures indicate a significant number of disciplinary violations within the NPU that require suitably thorough investigation and response.

Ineffectiveness of disciplinary accountability procedures

At the same time, not all NPU personnel are subject to proper disciplinary proceedings. As early as 2024, concerns were raised about signs of unethical conduct among NPU leadership. NPU Chief Ivan Vyhivskyi was revealed to be using property registered to relatives without sufficiently declared income, while his sister had business ties with individuals involved in criminal proceedings. Despite public outcry, the Minister of Internal Affairs refused to initiate an internal investigation.

In October 2024, journalists reported that Serhii Shaikhet, Head of the Migration Police Department and reportedly linked to the Office of the President, spent working hours attending to personal matters and was present at the office for only 1–2 hours a day. He faced no accountability for this misconduct.

Conducting internal investigations in a non-transparent, single-person manner during martial law

During martial law, police leadership was authorised to single-handedly conduct internal investigations into disciplinary violations. Such concentration of disciplinary authority in the hands of one official increases the risk of bias and arbitrary decision-making.

A collegial approach to decision-making helps prevent abuse and bias, minimizes the risk of undue influence by a single leader, and allows for diverse viewpoints when assessing the situation.

An attempt to improve internal investigation procedures

On August 29, 2025, Draft Law No. 13713 amending the Disciplinary Statute of the NPU was registered. It is a requirement under the State Anti-Corruption Program provisions; one aiming to improve the procedures for conducting internal investigations and improve the formation of disciplinary commissions. However, the proposed draft does not fully comply with SAP requirements, in particular:

01 the draft indicates no requirement to include at least half of the disciplinary commission members from civil society, contrary to the SAP;

02 the draft includes no list of offenses for which the disciplinary commission can recommend dismissal from the position or police service, contrary to the SAP;

03 the draft asserts that leaders have discretion to determine the format of disciplinary commission meetings (open or closed sessions).

INTERNAL HR ISSUES IN THE NPU: HIGH TURNOVER, LOW REMUNERATION

In 2024, the Ministry of Internal Affairs published a report on improving HR policy and police remuneration to enhance the competitiveness of police service in the labour market.
The MIA report notes that the police force experiences high personnel turnover, driven by both dismissals and voluntary resignations. According to official data, in 2022 only 3,801 individuals were recruited, compared to 14,087 individuals in 2017. Meanwhile, 10,747 officers left the service in 2022, up from 8,831 in 2017. The number of unfilled positions also rose, reaching 22,073 in 2022.

A further important consideration is the deployment of 17,000 police officers to counter the Russian Federation's armed aggression on the frontlines while, according to the Head of the NPU, the total number of police officers rests at approximately 100,000. Such a situation increases the workload of active personnel, also contributing to staff attrition.

Given the current personnel crisis in the NPU, the Ministry of Internal Affairs has been compelled to acknowledge that the salary structure of the police in Ukraine places officers in a vulnerable position of dependence. As of 2023, a full 75% of their income consists of bonuses, while only 10% comes from the base salary, 3% from rank-based salary, and 12% from allowances for specific service conditions. This overreliance on discretionary bonuses not only undermines fair and stable pay but also increases officers' vulnerability to undue influence and internal pressure.

ECONOMIC SECURITY BUREAU OF UKRAINE

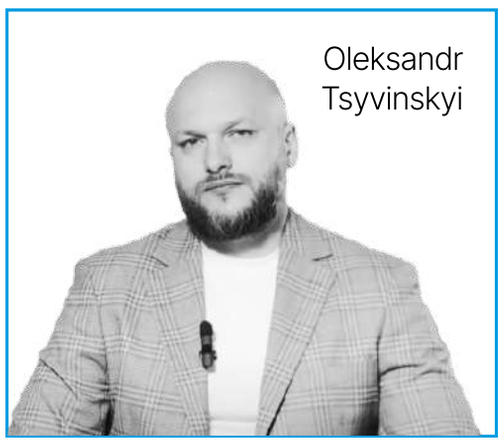
The law initiating the Economic Security Bureau of Ukraine (ESBU) relaunch in June 2024 established a new procedure for the selection of the Bureau's director; it also introduced staff certification and updated organisational structure. Staffing formed the main challenge, as members of staff had previously been partially transferred from the tax police and other agencies without proper vetting.

In October 2024 a Commission was created for the purposes of launching an independent competition to select the ESBU's Director. According to the ESBU-IMF memorandum, the Director's appointment ought to have been made by the end of July 2025.

In March–May 2025, 30 eligible candidates passed every stage of screening and testing required by the competition rules, including a special check enacted by the Security Service of Ukraine. At the final stage of candidate interviews in June, the competition procedure faced obstruction by the authorities: for example, the Service asked for additional verification of three finalists due to their alleged ties to the Russian Federation, without setting a deadline for such verification.

Such protractions enacted upon Ukrainian members of the Commission, as well as the letters sent by the Security Service of Ukraine with neither clear deadlines nor proper grounds, resemble deliberately fashioned delays and attempts to disrupt the competition. Despite this, the Commission recommended Oleksandr Tsyvinskyi for the position; a decision supported by the decisive votes of all three international experts.
On 7 July 2025 the Government did not appoint the victor of the selection competition – NABU Detective Chief Inspector Oleksandr Tsyvinskyi – despite fair completion of the process. This act directly violated the Law "On the Bureau of Economic Security," which clearly obliges the Cabinet of Ministers to appoint a Director within 10 days of receiving the competition commission's decision. Instead, the government requested the Security Service of Ukraine to conduct additional checks.

Civil society and business associations publicly called on the new government to appoint Tsyvinskyi, emphasising the importance of the ESBU reboot. On 6 August, following international pressure as well as pressure from civil society, the Cabinet of Ministers complied with the law, appointing Oleksandr Tsyvinskyi as Director. The success of the ESBU reform will be determined by the results of its investigations, which ought to ensure an increase in budget revenues and a reduction in the shadow economy.


Oleksandr Tsyvinskyi

The ESBU faces severe budget constraints, workforce shortages with only 1,244 of 4,000 positions filled, low salaries 60% below comparable agencies, the need for extensive vetting and hiring of new personnel, potential political interference, and resistance from powerful figures connected to Ukraine's shadow economy.

• STATE BUREAU OF INVESTIGATION

The SBI's constitutional status remains unresolved. To address this, legislative changes that clearly define its legal status are needed. At the same time, following Oleksiy Sukhachov's appointment as Director of the SBI, questions remain about the transparency and impartiality of the appointment process for its leadership.

The most recent competition for the position experienced lengthy delays. Principally, international partners refused to allocate their representatives as delegates to the competition commission without the right to a decisive vote. Such participation rather appeared as a formal "legalisation" of a predetermined candidate, contradicting the principles of transparency and independence of selection. This incident confirms the need to amend the law to introduce a real, open competition with international experts having the casting vote, incorporating transparent criteria for integrity and professional competence.

The political dependence of the SBI is a persistent problem. Over the past year, there have been numerous instances of the SBI being used as a tool for political pressure. In particular, investigative actions and searches of the High Qualification Commission of Judges were perceived as a way to influence the judicial reform process and to put pressure on certain individuals at the instructions of the Office of the President. Such cases demonstrate that unless there are legal changes and an open, unbiased selection of an independent head, the SBI cannot be an independent institution. Without these provisions it will remain a tool for political influence rather than an unbiased pre-trial investigation body.

• NATIONAL AGENCY FOR THE IDENTIFICATION, SEARCH AND MANAGEMENT OF ASSETS

A new phase in the reform of the National Agency for the Identification, Search and Management of Assets (ARMA) began in July 2024. Throughout the year, Parliament worked on a draft law that laid the foundation for a comprehensive overhaul of the institution.

On 18 June 2025, the Verkhovna Rada passed Draft Law No. 12374-d, which provided for several fundamental changes: from now on, the Head of the agency will be selected on a competitive basis involving international experts with a decisive vote. It is now also mandatory to conduct independent external audits of ARMA's activities one year and three years following the appointment of ARMA's new Head.

The reform also introduced a new stage, called identification, occurring before assets are transferred to ARMA's management. It is designed to identify assets that are objectively impossible to manage effectively. After the seizure, the prosecutor transfers information about the asset to ARMA and provides access to it. Later, the Agency assesses its economic potential, including reviewing sources of income and maintenance costs, then prepares a conclusion on the possibility of management. Following this assessment, the prosecutor applies to the court with a request to transfer the asset to ARMA.

Furthermore, a key new provision was introduced: eliminating the need to obtain the business owner's consent for the manager's actions if it is established that the actual beneficiary is a sanctioned person, or an individual originating from an aggressor country (primarily the Russian Federation). This new provision closes one of the key loopholes that allowed Russian owners to block or delay management decisions regarding seized assets.

Nevertheless, this law only defined the basic framework of the new model, while a significant number of procedural issues still need to be regulated at the sub-legislative level. The quality of these acts will determine whether the reform will become a real tool for transparency and efficiency, or remain a mere formality. Additionally, amendments to the Criminal Procedure Code are needed, as it is procedural legislation that determines all aspects of the interaction between the prosecutor and the investigating judge, including the seizure of property and its possible transfer to ARMA.

• SECURITY SERVICE OF UKRAINE

The Security Service of Ukraine (SSU) is the key agency in the Ukrainian security bloc. Its main tasks are counter-terrorist and counter-intelligence activities. Yet, given its vast mandate to 'protect national security,' the Service operates as a multifunctional body that provides operational support for economic investigations and maintains various supervisory, regulatory, and licensing powers. In practice, it remains a law enforcement agency and investigates a range of criminal offences.

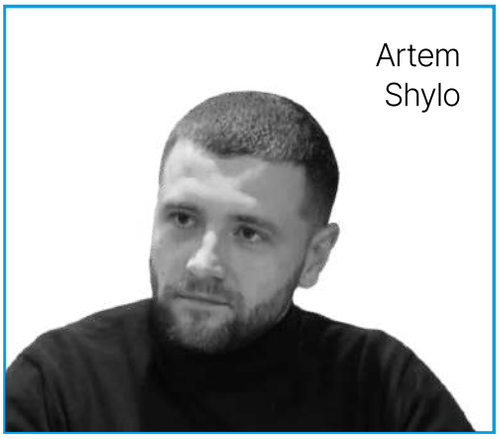
The SSU's functions are enshrined in numerous regulatory acts, rather than through a coherent legislative framework. Such regulatory fragmentation has led to operational chaos, diluted priorities, risks of corruption, and inadequate oversight mechanisms that are instead concentrated in the SSU's hands. Previous reform attempts, including Draft Law No. 3196-d, were interrupted by Russia's full-scale invasion and left critical institutional challenges unaddressed.

Since February 2022, the Service has increased its public trust via its role in countering Russian aggression via defence operations (drone attacks, covert intelligence operations against Russian officers, etc.). Despite this, the SSU also suffers from ongoing scandals involving corruption among senior officials. It has been accused of surveilling journalists and activists, and remains susceptible to external political control. These incidents demonstrate that wartime circumstances have exacerbated the need for institutional reform of the Service.

The SSU's involvement in economic investigations and law enforcement functions continues to create jurisdictional conflicts with specialised agencies. Overextending authority and overlapping mandates undermine the effectiveness of Ukraine's law enforcement framework. The lack of explicit operational boundaries has enabled the SSU to maintain an unnecessarily broad scope of activities – used for abuses of power.

For example, in November 2024, the Security Service of Ukraine, together with the Bureau of Economic Security and the State Border Guard Service of Ukraine, shut down six illegal gambling facilities in Kharkiv and Zaporizhzhia. The latter operated without necessary licences and did not pay taxes (Part 2 of Article 203-2 of the Criminal Code). The pre-trial investigation in criminal proceedings regarding illegal activities in organising and conducting gambling is not an article under the jurisdiction of the SSU; rather, its jurisdiction falls under the ESBU.

Recent investigations of the National Anti-Corruption Bureau of Ukraine in high-profile cases show that SSU officials covered up schemes for illegal businesses and extortion operations. The scale of these corruption schemes suggests institutional vulnerabilities that extend beyond the personal misconduct of individual SSU officers. For example, the NABU and SAPO issued charges against members of an organised group that procured power transformers while embezzling UAH 94.8 million from the Ukrainian Railroad, Ukraine's national railway operator.


Artem Shylo

This case exemplifies how SSU officials have been involved in large-scale corruption schemes affecting critical infrastructure. Artem Shylo also informally coordinates counterintelligence activities in the SSU and oversees the activities of infrastructure enterprises, including the Ukrainian Railroad. In 2022, investigative journalists from Bihus.info exposed Shylo's connections to high-ranking officials at the Presidential Office, a multi-million dollar property.

The Security Service of Ukraine does not have a mandate for anti-corruption investigations. The Service nevertheless persistently gets involved in such cases, already undermining the effectiveness of specialised anti-corruption bodies. The Service has repeatedly interfered with investigations of the National Anti-Corruption Bureau, and thereby compromised several high-profile corruption cases through parallel investigations and competing jurisdictional claims. For instance, in October 2024, the SSU and the National Police revealed a scheme of embezzlement from the Dnipro city budget that caused at least UAH 34 million in losses to the state budget. Just as in the prior case, the SSU took over the investigation from an area falling under NABU's mandate.

The documented cases of unauthorised surveillance of journalists are particularly troubling. These activities represent serious breaches of democratic principles and have raised significant concerns about the Service's respect for human rights, as well as its adherence to its legal mandate. Examples are the surveillance of the Bihus.info investigative outlet and of Slidstvo.info in 2024.

In July-September 2025, the SSU has emerged as the primary instrument for orchestrating political attacks against anti-corruption institutions. Acting under the guidance of the newly appointed Prosecutor General Ruslan Kravchenko, the SSU has coordinated mass searches without proper warrants, made false incriminating statements for the media, and manufactured fabricated cases against senior anti-corruption detectives using falsified evidence, effectively weaponizing state security apparatus against the institutions designed to combat high-level corruption within the SSU.

Hence, Ukraine should implement a comprehensive package of SSU reform even under wartime conditions. The cornerstone of this reform should be new legislation that consolidates and systematises all SSU powers into a single document, explicitly outlining functions to be transferred to other agencies and establishing a clear post-war reform timeline. The reform should gradually phase out the SSU's law enforcement powers, limiting its scope to counter-intelligence, counter-espionage, cybersecurity, and counterterrorism. **Specifically, the reform should:**

01 **gradually deprive the SSU of its law enforcement powers, leaving only those related to counter-intelligence, counter-espionage, cybersecurity, and counterterrorism;**

[The first step here should be to narrow the articles of the Criminal Code that define the SSU's investigative powers (terrorism and crimes against national security) and to prohibit the involvement of the SSU's operational employees in the investigative actions of other law enforcement agencies];

[The second step is that the law should provide a clear deadline for when the service will lose its investigative function (to be transferred to the National Police and the State Bureau of Investigation)];

02 **perform complete ethical and professional attestations of new SSU employees (and re-attestation of current ones);**

03 **create a credible internal control and disciplinary committee and replace staff members who do not meet ethical and professional standards;**

04 **open a transparent process for hiring leadership with meaningful international participation;**

05 **enhance parliamentary and civilian oversight of the SSU;**

06 **transfer powers of controlling state secrecy, classified information, and access and permission for lawful intercept from the SSU to a newly created state agency.**

SEE DIGITAL COPY OF THE REPORT: